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Schefczyk, Michael

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Reactions & Debate

Prophylactic Neutrality, Oppression, and the Reverse Pascal's Wager

Simon Clarke – Independent Scholar

I. Introduction

Neutralism holds that government should not base its laws or policies on any particular view about how people should live; it should provide a neutral framework of rules within which people may pursue whatever views of the good life they wish, regardless of the plausibility or soundness of those views. Perfectionism rejects this, holding that it is permissible for government to act on the basis of conceptions of the good; government action should be guided by worthwhile conceptions of the good life. The debate between these two views has practical implications. Some criminal prohibitions such as laws against drugs, gambling, prostitution, pornography, and homosexuality are called into question. While it may be possible to give these laws some neutral justification, at least part of their rationale seems to be that the activities themselves are intrinsically worthless or of little value. If so, then neutralism would hold that those laws are illegitimate. State-funding decisions would also be affected. For example, neutralism may rule out state funding of the arts and rule out favouring classics of literature in public libraries, unless some neutral justification can be given for such actions.

Beyond Neutrality by George Sher considers and rejects a number of justifications for neutralism and sets out a perfectionist theory. Of the justifications for neutrality that Sher criticises, one deserves further scrutiny. The fifth chapter of *Beyond Neutrality* examines the idea that neutrality is a protective device against government oppression. Modern states have vast amounts of power, Sher writes: "To keep order, to protect citizens from external threats and from each other, and to provide essential services and public goods, a government must have both a (near-)monopoly on force and access to great wealth" (1997, 106). The fear that states may use this power to oppress people is one that is or has been borne out in many countries. Might perfectionism sanction oppression? One of the most prominent defenders of neutralism, John Rawls, suggested that the shared beliefs required by a perfectionist state "can be maintained only by the oppressive use of state power" (1993, 37). Other writers have raised this possibility (e.g. Quong 2011, 35),

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but it is not usually thought a significant justification for neutrality, so Sher's discussion is pioneering in that respect. Because it limits the reasons for which government may act, neutralism may be a way of containing the state's power and thereby making oppression less likely. It would not *guarantee* the absence of oppression, for as Sher notes it is still possible that in a neutral state, "a government that does not oppress in the name of virtue or true religion may still do so in the name of prosperity or state security (or, for that matter, under no justificatory cover at all)" (1997, 109). Neutralism would make oppression less likely, however, because it removes one source of motivation for oppressive policies. It is a restriction on reasons for state action; with fewer reasons to act, there would be fewer reasons to act oppressively. The present contribution examines this view, which Sher calls 'prophylactic neutrality', in more detail. The first section sets out Sher's criticisms of the view and responds to them. The second section fleshes out in more detail the worry that abandoning neutralism could result in oppressive government and makes a case for prophylactic neutrality.

II. Sher's Critique Of Prophylactic Neutrality

Sher's main criticism of prophylactic neutrality is that it is not the only way of reducing the likelihood of oppression. Alternatively,, a society could give citizens legal rights against their government, dispersing power, but without being neutralist. If so then "given a suitably potent array of legal rights, citizens have no need for any further protection. Because their rights already block the most dangerous abuses of power, they stand to gain little from the additional security of a neutral state. Thus, as long as governments recognize and enforce a suitable complement of rights, they can try to promote the good without raising the specter of oppression" (Sher 1997, 110). Sher concedes, however, that this criticism is open to the rejoinder that legal rights, rather than being an alternative to neutralism, themselves embody a way of implementing the neutrality constraint. If so, "when rights protect citizens from oppression, they do so precisely by *making* the state neutral" (1997, 110; italics original). Rights exist, so the rejoinder suggests, to prevent government from acting on ideals of the good life. Rights to freedom of thought and expression, for example, prevent the state from censoring material that expresses ideals of the good, ways of life, or religious doctrines that it does not like.

In response to this, Sher tries to show that liberal rights do not bring about neutrality because it is quite possible for a society to be perfectionist even though citizens have legal rights. He points to current arrangements in the US where there is state-funding of the arts, environmental protection laws, and regulation of public obscenity, all in the name of promoting ideals of the good; while at the same time, the US is a society where citizens have legal rights against government. This, says Sher, shows that having legal rights does not implement neutrality; since "nonneutral laws and policies *do* coexist with our current rights, then we obviously can have adequate protection without having a neutral state" (1997, 112; italics original).

But this is a mistaken conclusion. It is true that in the US individuals have legal rights against government while at the same time also having some perfectionist policies (and the same could be said about other countries in Europe and in Canada, Australia, and New Zealand), but this does not prove the point. For it could be the case that these legal rights embody a sphere of neutrality while leaving room for perfectionist policies outside that sphere. The view I have in mind here is the kind defended by John Rawls and Brian Barry, where neutrality is a requirement for some central core of government decisions, but government may permissibly act on perfectionist reasons for decisions outside this core. Rawls' view is that neutrality is required with respect to "constitutional essentials and matters of basic justice" but does not apply to "many economic and social issues that legislative bodies must regularly consider" (1994, 230; see also 214-215). Similarly, Barry's view is that neutrality applies only to some but not all political decisions (although he thinks a different type of neutrality applies to the others), advocating constitutional as opposed to legislative neutrality (1995, 161). According to this view, for example, government must not favour one religion over others, say by making it the state religion that all government ministers must adhere to and that is taught in public schools; but it would be permissible, however, for government to permit nativity scenes to be displayed in town squares (provided such decisions are arrived at by democratic decision-making). What precisely is meant by "constitutional essentials and matters of basic justice" is not clear. One way of making the distinction (though it is not Rawls' or Barry's) is in terms of coercive versus non-coercive government actions. The insistence could be on the state being neutral in its coercive measures but not in its non-coercive policies; it could have state-funding of the arts but not be permitted to force anyone into art-appreciation.[1]

Let us assume that there is some way of making the distinction and use the expression 'core neutrality' to refer to the idea that the state must be neutral with regard to some core of its arrangements (such as its constitutional essentials or its coercive measures), but that permits perfectionism in periphery decisions. Contrary to Sher's argument, countries whose governments have perfectionist policies but also protect legal rights do not defeat prophylactic neutrality because those countries may be perfectionist but only at the periphery, while being neutral at their core. Sher's idea is that societies that are perfectionist, but also have legal rights, demonastrate that it is possible to do without neutrality and still avoid oppression. Nevertheless, it might be the case that the neutrality constraint is working in the background as the rationale for legal rights while government acts on perfectionist considerations in ways that do not violate legal rights. Perhaps neutralism is providing the framework of rights that protect people from oppression and that within this framework there is room for perfectionist policies.

A similar point applies to another argument that Sher makes. He considers neutralism as a *modus vivendi* among people with competing conceptions of the good; without it, so this justification for neutralism goes, there would be conflict, animosity, and bitterness. Against this, Sher argues that the effects of perfectionism are not that severe because there are stabilizing forces such as the liberalism of a tolerant mind-set. But then Sher considers the response: might this mind-set itself be rooted in neutrality? Sher argues that those attitudes have flourished in non-neutral societies (1997, 119-20).

Nonetheless, our response should be as before; the fact that liberal toleration occurs in non-neutral societies does not mean that it is not itself derived from a belief in neutrality, since societies are a mixture of neutrality and nonneutrality.

Is this reply a problem for perfectionists like Sher? Perhaps not, if all they want from a perfectionist theory is perfectionist policies outside the core. But they would have failed to refute prophylactic neutrality. The core of government in this view is neutral and neutrality is what provides protection against oppression. The worry remains that a more thorough-going perfectionism may be oppressive; if perfectionist reasons were permitted to guide core decisions the result could be oppression.

III. Perfectionism and Oppression

To fully decide the matter we need to look at whether a perfectionist state can avoid oppression or will instead sanction it. Why is it thought that the result of state action guided by perfectionist reasons could be oppression? First let me start with a seemingly innocuous point: leading a life that is good is important. We want our lives to be good; it would be a bad thing if we were living our lives spent in trivial, pointless, worthless activities. This, however, has significant consequences because it is possible that leading a life that is good might be so important that it outweighs other considerations, such as letting people choose for themselves. Some examples will illustrate this general point. Imagine that it turns out to be true that God exists and that God requires a certain type of worship. From a perfectionist point of view it would seem fairly important that people lead their lives according to this fact; that any life that does not comply with it is an impaired one, bad for the person who lives it. If people are not attending religious services as they ought, then a perfectionist government should force them. Consider next ideals of sexuality. In some views, the most worthwhile form of sex, the one that is most intrinsically valuable, is that which is aimed at reproduction. Perhaps this should be accompanied by loving respect for one's sexual partner and a commitment to that person (and to raise any offspring that may result), but loving respect and commitment in sexual activity alone are not worthwhile; they are valuable, according to the view being considered, only when they accompany reproductive sexual activity. This would mean that non-reproductive sex is of lesser value, and is perhaps of very little or even of no value. People who enjoy engaging in non-reproductive sex would be making a mistake about the nature of the good life. Moreover, it may well be a fairly significant mistake if valuable sexual activity is a weighty component of a good life. It may be so significant that a perfectionist state could be justified in interfering in the lives of those who are making the mistake.

These examples illustrate how it is possible that a perfectionist state could sanction oppression. Perfectionists may respond that these are crude characterisations of what a perfectionist state would be like. There are many other considerations to take into account, they would argue, which result in it being less likely that a perfectionist state would be oppressive. Here, for example, is what Sher says about the worry of religious oppression:

> If someone believes the price of wickedness is an eternity in hell, he will quite properly take worldly harmony to be of little moment. By his lights, saving souls – his own and those of others – will indeed be the only thing worth doing. But not all religious doctrines do have such extreme implications, and many conceptions of the good are not religious at all. Thus, very few in our (or any other Western) society have this sort of reason to pull out all the stops […] [Usually] even the most passionate adherent of a particular conception of the good is well able to moderate his demands (1997, 121-122).

Elsewhere in *Beyond Neutrality*, Sher also sets forth what a perfectionist theory on his view should say about sexuality. In his view, sexual activity should be private because it involves the ability to bestow personal information selectively. This would count against promiscuous impersonal sex, but not against non-reproductive sex. Moreover, non-reproductive sex would not be condemned based on his view that only near-unavoidable goals are valuable. Many people, Sher notes, have "no interest in reproducing at all. When someone lacks such interest, it is hard to see how his using his sexual organs to reproduce would make the world a better place or him better off" (1997, 218).

Reasoning of this type may demonstrate that perfectionism need not be oppressive (although Sher's view would seem to sanction intervention against sexual promiscuity). There are other considerations that perfectionists would claim have to be taken into account:

i. With regard to religion there is the Lockean argument that religious devotion requires inner persuasion of the mind, and since external compulsion cannot bring about inner states, there is no point in coercing people into religion (Locke 2005).
ii. Perhaps the good is pluralistic; perhaps, that is, there are many forms of the good and they are equally valuable or incommensurable in the sense that they are not worth more or less than each other, but nor are they equally valuable; they are simply valuable in their own way (Raz 1986). If so there would be no reason for intervention guiding people away from lifestyles.
iii. Perhaps the good life must be an autonomous one or one that expresses individuality or that in some other way depends on personal choice.

Sher holds that the good is fragmented and plural and that autonomy, desire-satisfaction, and happiness are important goods (1997, 120). If so, and if the reasons for personal choice are important enough to outweigh whatever value there may be in forcing people into valuable activities, then the nature of the good will be less in favour of oppressive government intervention of the kind that I have suggested. These claims about the good will not be assessed here (but see Clarke 2006). They may turn out to be true and weighty. If so, then perfectionism would not lead to oppression. For ease of reference, I will refer henceforth to the possibility of the good turning out to be such that it motivates oppression as 'the good is oppressive' while that it does not as 'the good is non-oppressive'.

We can now see the reasoning behind prophylactic neutrality. Perfectionist considerations may be incompatible with individual rights due to the nature of the good. Depending on how the nature of the good turns out – whether the good is oppressive or

not – then perfectionism may or may not be oppressive. If the nature of the good is non-oppressive, then Sher is right to hold that neutrality is not necessary in order to avoid oppression. But if instead the good is oppressive then perfectionism would be oppressive and – insofar as oppression is something we want to avoid – the prophylactic case for neutralism would stand.

Is the nature of the good oppressive or not? Much work still remains to be done to answer this question. Before we can respond we need to know, among other things, the truth about religion, about sexuality, about value pluralism, and about the importance of autonomy and individuality in the good life. In our present state of uncertainty about these questions, there is a case for neutralism. Either government could be perfectionist – which may or may not result in oppression depending on the nature of the good – or it could be neutral, in which case it has less reason to be oppressive. Given the dangers of oppression we should err on the side of caution and embrace neutralism because otherwise, if government is perfectionist, the nature of the good may turn out to be oppressive. True, the good may turn out not to be oppressive, but we should not take the risk.

This precautionary reasoning is similar to Pascal's wager, according to which the consequences of not believing in God if God turns out to exist are much worse than the consequences of believing in God. If you choose the former, you will receive eternity in hell, but if you opt for the latter you will be granted eternity in heaven (and if it turns out that God does not exist then all you have wasted is some time and effort in worshipping). You will not lose much if you turn out to be wrong but you will gain a lot if you turn out to be correct. As Pascal wrote: "Let us compare the two cases; if you win, you win everything; if you lose, you lose nothing. Don't hesitate then. Take a bet that he exists" (Pascal 2009, 536).

The case for prophylactic neutrality applies a similar kind of reasoning to the question of whether government should be neutral. The nature of the good could be oppressive or it could not be. Either the state could be perfectionist; if the good is oppressive then the result could be oppression; if the good is non-oppressive then oppression is less likely. Or the state could be neutral; if the good is oppressive then it will not matter since the state will not be guided by it and the result is that government is less likely to be oppressive; if the good is non-oppressive then the result is still the same. The rational wager is towards neutrality. If we accept perfectionism, the result could be terrible if the good turned out to be oppressive. But if we accept neutralism and the good turns out to be non-oppressive then we have lost something – the gains of perfectionist policies – but these surely are a sacrifice worth making in order to avoid the dangers of oppression. By accepting neutralism we gain the huge advantage of avoiding oppression. The alternative would not gain us much.

This is in a sense a reversal of Pascal's wager, because the latter was *for* religion while the reverse is *against* the use of religion in politics (or conceptions of the good life generally). It is not actually a wager against being religious – that might still be a good bet on a personal level – but it is a wager against permitting religion (and conceptions of the good) to have influence in politics.

Even though it has the same structure as Pascal's wager, the reverse wager avoids the main difficulty usually thought to apply to Pascal's. Pascal's wager assumes that belief is a matter of choice; that you can just decide to believe in God or not. But this is probably false; belief is determined by how the evidence and arguments appear to you and is not subject to direct control (Taliaferro 1998, 381; Zagzebski 2007, 64). While this is a problem for Pascal's wager, it does not apply here, for accepting neutralism is a matter of choice unlike a belief in God. Society can just decide that government should be neutral rather than perfectionist and implement that decision by adopting political arrangements that rule out perfectionist policies. The neutralism-perfectionism issue is a matter of choice to *decide upon*, unlike a personal belief in God.

It is important to be clear about what kind of argument is being made here. Sometimes perfectionism is objected to on pragmatic grounds; the worry is that the state could implement misguided or false conceptions of the good. Religious fanatics, for example, could implement their false views through the state. (Raz 1986, 428-429; Quong 2011, 35). That is not the argument being made here. The argument here is that even if the ideals of the good are truly ideals, even if they are worthwhile conceptions of the good, perfectionism could sanction their imposition, oppressively if necessary.

One possible objection to this case for prophylactic neutrality is that it rests on a claim about uncertainty about the good: that we are uncertain whether the good is oppressive or not. Many defenders of neutralism have appealed to uncertainty or scepticism about the good as a way of ruling out state action based on conceptions of the good, but this strategy faces the criticism that other political claims – for example about justice and rights – are no more certain as claims about ideals of life (Clarke 1999; Quong 2011). As Sher puts it, there is no more reason to be sceptical about the good than there is to be sceptical about matters that neutralism holds that it is legitimate for government to act on the basis of (1997, 142). Since the reverse Pascal's wager appeals to uncertainty about whether the good is oppressive or not, it seems open to this criticism of using scepticism about the good as a justification for neutralism.

The reverse wager for neutralism does indeed make a claim about uncertainty of the good: that we are uncertain whether the good is oppressive or not. But that is not the same as a claim of uncertainty about the good in general: that we do not hold any beliefs about the good with certainty. The latter does invite the response that our beliefs about justice and rights may similarly lack certainty. But although the more limited claim of uncertainty about whether the good is oppressive may similarly invite a response that we are uncertain whether a neutral state would be oppressive, that response is less convincing. For the reverse wager argument goes through provided *it is more likely that perfectionism would be oppressive than it is that a neutral state would be oppressive*. And that claim, as far as I can see, cannot help but be true. As has already been noted, a neutral state may well be oppressive, but a perfectionist state is more likely to be for the simple reason that the latter makes more reasons available for government to act on. The difference between neutralism and perfectionism is just that under the latter there are more reasons for state action than under the former. Hence, whatever sources of oppression there are

under neutralism are also present under perfectionism, and the latter has further sources, namely the motivation to promote conceptions of the good. So, we may be uncertain whether neutral reasons for state action would result in oppression, but a perfectionist state adds further reasons to these: nonneutral reasons for state action, and so we must be even more uncertain whether a perfectionist state would be oppressive.

The only way around this that I can see would be for perfectionists to show that the nature of the good is not only non-oppressive, but is even more oppression-minimising than a neutral state would be. For instance, they could argue that autonomy is so important as an element of the good life that its relevance in a perfectionist state would counteract any tendency towards oppression that would be present in a neutral state, as well as counteracting any tendency towards oppression in the nature of the good. Perhaps (so the argument would go) a neutral state would be oppressive, and perfectionism avoids this by emphasising the liberty-supporting elements of the good life. However we have already seen two reasons that when combined should make us doubt this strategy: (i) there are elements of the good that tend towards oppression, and (ii) we are uncertain whether the good will turn out to be oppressive or non-oppressive overall. Even taking into account the possibility that the nature of the good may push society away from oppression, the possibility of the opposite tendency should make us accept neutrality as the best bet.

IV. Conclusion

Perfectionism may lead to oppression or it may not, depending on the nature of the good. The alternative, neutralism, may also result in oppression, but is less likely to since one set of motivations for oppression would be removed. To reduce the possibility of oppression, we should have a neutral state.

More work has to be done on comparing neutralism and perfectionism in terms of their likelihood of leading to oppression, but I hope to have supplied some reason to think that neutralism has an advantage in this respect. One assumption that has not been explored is why oppression is bad; a possible response to the view defended here is that even if perfectionism leads to oppression we should just accept it. Perhaps oppression in the name of furthering the good is justified. That, however, would be a bold move for defenders of perfectionism such as Sher to make.

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NOTES

1. This position would have to reply to the standard objection that in its supposedly non-coercive realm such as funding decisions, it actually is coercive since the taxes used to raise funds are coercively imposed.

Neutralism, Perfectionism and Respect for Persons

Michael Schefczyk – Leuphana Universität, Lüneburg, Germany

I. INTRODUCTION

Neutralism, which is roughly speaking the doctrine that the state should not implement or promote ideals of the good life (Barry 1965/1970, 69ff.; Raz 1986, 110ff.; Sher 1997, 34), is a broad church. It ranges from a purist commitment to full self-ownership as *the* fundamental moral right, which we find in libertarianism (Nozick 1974/1999; van Parijs 1995; for a critical discussion Wall 2009), to more nuanced views prevailing in liberal egalitarianism (Rawls 1993; Larmore 1996; Rawls 2001), libertarian paternalism (Thaler and Sunstein 2008) or in John Stuart Mill's version of utilitarian liberalism (Mill 1863/1969).

In contrast to Sher's declaration that "neutralism *is* false" (1997, 3), I shall argue that neutral states can do a lot in order to promote the good life of the residents. A plausible form of neutralism does not exclude perfectionist reasons *tout court* from political

deliberation. However, the role of perfectionist reasons in political affairs must be framed by an appropriately conceived principle of neutrality. Unlike Sher, I argue that one can take a perfectionist theory of the good and most of Sher's political concerns aboard without sacrificing the principle of neutrality. Contrary to other forms of moderate neutralism (e.g. Weinstock 1999) or mild perfectionism (e.g. Chan 2000), my approach rests on the idea that respect for autonomously chosen (decent) reasons constitutes a constraint on the scope of perfectionist intervention.

II. Neutralism as a Principle of Political Morality

In what I conceive to be the most plausible interpretation, neutralism is a theory of political morality that deals with the obligations of public officials, lawmakers and citizens ('political neutralism'). The core of political neutralism is the principle of neutrality. It is a moral requirement with respect to the reasons and goals of political agents.[1] A neutral state is one in which political agents comply to a large extent with this requirement. The principle of neutrality prohibits political agents from using their power to promote a *particular* conception of the good (I abbreviate 'conception of the good' as 'Conception' in the following). I follow Rawls in understanding a Conception as the product of one of our fundamental moral powers. In *Justice as Fairness*, he remarks that a Conception is "an ordered family of ends" which is "*normally* set within, and interpreted by, certain comprehensive religious, philosophical, or moral doctrines" (2001, 19; italics mine). I take the 'normally' as a hint that a Conception may lack a metaphysical component. If so, it could consist simply of a more or less determinate scheme of final ends. Moreover, Rawls states that Conceptions specify our loyalty to various groups and associations, and that the flourishing of these groups and associations is "also part of our conception of the good" (1993, 19). This I call the *social component*. Again I interpret the social component not as a necessary condition, but as a typical element of a Conception.

In a nutshell, a Conception is a "scheme of final ends" (or an "ordered family of ends") that individuals formulate in exercise of one of their fundamental moral powers. Typically, the value component of a Conception is supported by a metaphysical and a social component.

Conceptions have parts that are 'universal' insofar as they are shared by all or almost all people ('universal parts'). Here are some examples of universal beliefs: all or almost all conceive pleasure to be an intrinsic value (value component). The belief that we are not brains in a vat is near-universal; and all or almost all people desire the flourishing of their family or political community (social component). However, Conceptions also have parts that are not near-universal; these are the 'idiosyncratic parts'. Parts of Conceptions can be idiosyncratic because they express personal views or tastes, on the one hand, or because they are the result of reasonable disagreements, on the other hand. As Rawls puts it, "it is not to be expected that conscientious persons with full powers of reason, even after free discussion, will all arrive at the same conclusion" (1993, 58). Different, and possibly incompatible, conclusions may be supported by sufficiently good (or decent) reasons.

Political neutralism favours a minimal standard according to which reasons are decent if they do not involve evident falsities or logical fallacies. I presume that it is frequently a matter of reasonable disagreement whether an issue is, indeed, a matter of reasonable disagreement. For instance, some people are convinced that moral realism: the belief in a personal god or perfectionism is unreasonable; but others disagree.

In numerous passages, Sher seems to assert that Rawls objects to *all* attempts of political agents to promote valuable lives (1997, 83 *et passim*). Whatever the correct interpretation of Rawls' view, political neutralism only criticises the promotion of idiosyncratic parts of Conceptions. When political neutralists demand that political agents should stay neutral with regard to particular conceptions of the good, they do *not* mean that governments should refrain from promoting the good. What they mean is that political agents should abstain from promoting non-universal value beliefs that are typically supported by debatable metaphysical and social views.

These preliminary remarks are helpful in order to understand what I take to be the core concern of neutralism. An officeholder who promotes the idiosyncratic part of a comprehensive Conception does not write on a blank slate. He or she interferes with the Conceptions of residents. The residents employ their capacity to reasonable reflection in order to arrive at considered judgements. Political interference forces individuals to deviate from what they see as good and reasonable. This interference is not just piecemeal, but deep and systematic, because a Conception has a certain degree of unity and comprehensiveness.

According to political neutralism, the notion 'overlapping consensus' refers to the universal part of Conceptions. The universal part of Conceptions comprises value claims of a diverse nature. Some claims are universal because they are self-evident in the sense that any attempt to give further reasons for them seems to be awry; the goodness of pleasure may be a case in point. Other claims are universal in the sense that they are widely shared and supported by strong emotions, like certain beliefs about decency. In contrast to self-evident beliefs, these claims are typically supported by further considerations. Some of these supporting considerations do not belong to the universal part of Conceptions. With regard to these claims, there is no overlapping consensus on the level of justification. In view of this, it seems helpful to distinguish between 'surface consensus' and 'in-depth consensus'. Surface consensus occurs if there is agreement regarding the reasonableness of a claim, but no agreement regarding its appropriate justification. In-depth consensus arises if there is agreement regarding both, claim and justification. This sheds light on the distinction between 'neutral' and 'non-neutral reasons' (see Sher 1997, 22-27).

In sharp contrast to Sher, I believe that the principle of neutrality does *not* prohibit political agents "to support any law or policy on the basis of any particular conception of the good life" (Sher 1997, 131). For the principle does not require political agents to act on the basis of an in-depth consensus. Political agents makes no moral mistake, if their reason for promoting the realisation of a certain value, which lies within the bounds of a surface consensus, belongs to their idiosyncratic conception

of the good. They can support compulsory schooling for quite different reasons; they may be convinced that knowledge is an intrinsic value, like Thomas Hurka (1993, 159; 2010, 75-96); or they may believe that the cultivation of higher faculties gives access to higher pleasures, like John Stuart Mill (1863/1969, 211). It is in keeping with the principle of neutrality to support a law or policy for decent, but idiosyncratic, reasons unless one has reason to believe that there is no surface consensus regarding the law or the policy. Such a surface consensus is not just a compromise. All parties agree that an institution or policy is reasonable, even if they disagree with respect to the appropriate justification.[2]

Against this backdrop, the disagreement between perfectionism and neutralism is perhaps of a different nature than Sher opines. Sher's perfectionism conceives certain traits or activities as inherently valuable because they are linked to fundamental human capacities. A capacity is fundamental if it "is both near-universal and near-inescapable" (Sher 1997, 202). Some of these fundamental capacities are directed at specific goals; although these goals are rooted in near-universal and near-inescapable capacities, many persons fail to pursue them. As I said before, the principle of neutrality repudiates the promotion of idiosyncratic (parts of) comprehensive Conceptions; but fundamental goals are defined as near-universal and near-inescapable. Thus, by definition, fundamental goals must belong to the universal part and political neutralists have no reservations about the promotion of universally shared goals. Of course, neutralists and perfectionists, like Sher, can disagree in their views about fundamental goals, but such disagreement would be nothing unusual. It is conceivable, even likely, that different political neutralists will arrive at diverging, considered judgements as to which justificatory reasons are eligible, because they have different views concerning the universal part of Conceptions. Rawls himself seems to be convinced that the universal part is exhausted by the list of primary goods; but this is a debatable claim. Claims about what belongs to the universal part are themselves objects of reasonable disagreement. This confronts us with the question as to the *specific* nature of the dispute between neutralism and perfectionism. The principle of neutrality does *not* prohibit political agents from supporting a bill or a policy for perfectionist reasons. This is my response to Sher's objection that it "is, to say the least, not self-evident that even the weightiest of perfectionist reasons – reasons that should and often do guide our personal conduct – should have *no weight at all* in our deliberations about law and public policy" (1997, 17; italics original). Whether perfectionist reasons are eligible or not depends upon the contingent nature of the overlapping consensus. If officeholders have reasons to believe (*p*) that the proposed perfectionist bill or policy is part of an overlapping (surface – or in-depth) consensus, their support is not a violation of the neutrality requirement. But if they have no such belief (*p*), they exert, from the point of view of the dissenting residents, arbitrary power.

To summarise, political neutralism is not in conflict with perfectionist reasons *per se*. It repudiates a form of perfectionism that licenses political agents to justify laws and policies with idiosyncratic reasons.

III. Forms of Interference and the Respect Argument

Sher distinguishes threats, incentives, non-rational manipulation and the provision of valuable options as four methods of potentially beneficial state intervention. Some, but certainly not all, neutralists reject all four methods. John Stuart Mill, for instance, was primarily worried about what he called "authoritative intervention", the use of coercive means. In the *Principles of Political Economy* and elsewhere he declares that coercion "requires a much stronger necessity to justify it" than unauthoritative intervention (1848/1965, 937). Both forms of political interference *can* be justified. Mill repeatedly refers to his arguments against state intervention as presumptions, as claims, which put the burden of proof on the opponent. One justifying reason for coercive intervention consists in the prevention of actions which people would undoubtedly not desire to perform if they had all relevant information. Mill gives the famous example of someone who is about to cross an unsafe bridge. If the only way to prevent his crossing is to "seize him and turn him back", "no real infringement of his liberty occurs", says Mill: "for liberty consists in doing what one desires, and he does not desire to fall into the river" (1859/1977, 294).

Thus, Mill concedes the eligibility of state intervention in order to prevent some forms of involuntary harm to the self. Most versions of neutralism agree with Mill that the interference with such actions is unobjectionable (Thaler and Sunstein 2008).

The situation is different with regard to well-informed choices. Steven Wall gives the example of "an adult man, while of sound mind, desires to consume a recreational drug known to cause serious health problems. The man is aware of these dangers, but desires to consume the drug anyway" (Wall 2009, 403). Would it be morally in order if a public officer "forcibly prevents him from doing so for his own good"? From the point of view of political neutralism, the first question to be asked in this scenario is whether the public officer interferes with the person's autonomy. It is by no means obvious that the answer has to be in the affirmative. The fact that the man is aware of the danger involved in taking the drug and that he is of sound mind does not imply that he is responsive to all relevant reasons. For instance, he may use an unreasonably high discount rate regarding his future desires or give no due weight to the consequences of his foreseeable health problems on other present desires. Under these circumstances, many, perhaps most, neutralists would argue that state intervention would be acceptable, since it does not override the point of view of the affected person.

Given that I consider the eligibility of state interference with respect to heteronomous and self-harming choices to be uncontroversial, I shall focus on interference with autonomous choices in the following.

The principle of neutrality asserts that political agents make a moral mistake if they support laws or policies in order to override the decent Conceptions of residents. A Conception is decent if it is supported by sufficiently good reasons. I shall argue that the principle is based on the general moral idea that we are under an obligation to respect the autonomy of other persons. Non-neutral actions of political agents are morally wrong because they infringe the residents' claim to respect for autonomy. Sher differen-

tiates between, arguments for the principle of neutrality that are based on the 'value of autonomy' (value argument) on the one hand, and arguments that are based on 'respect for autonomy' (respect argument) on the other. The basic idea of the value argument is that the non-neutral use of political power diminishes the goodness of people's lives *because* it interferes with autonomy. In contrast, the respect argument claims that political authorities are obliged not to interfere with autonomous choices because any such interference is a form of disrespect for the affected person. Both arguments arrive at the conclusion that political authorities must not interfere with the sphere of 'personal sovereignty'. But they differ as to why the state should respect autonomous choices. The value argument justifies the principle of neutrality on the basis of a premise about the good life. The respect argument, in contrast, justifies the principle of neutrality on the basis of a premise about how the state should treat its residents. The value argument maintains that state interference worsens people's lives. The respect argument leaves this question open. It is compatible with the respect argument that some forms of interference are disregardful, and therefore wrong, even if they improve people's lives. If one accepts the respect argument, one is committed to the view that one can be obliged to abstain from actions that would make the lives of others' better. Why could it be possibly wrong to promote the well-being of another person?

The Respect Argument

i. Interference with autonomous choice disrespects the affected person.
ii. It is morally wrong to disrespect persons.
iii. Political agents who support laws and policies that interfere with individual autonomy in order to promote idiosyncratic Conceptions disrespect person (*non-neutral intervention*).
iv. Thus non-neutral intervention is morally wrong.

The respect argument does not exploit one widely acknowledged consideration in favour of state neutrality. Following Sher, one may call it the 'error argument'. The point of the argument is that, because the state will err in a critical number of cases, it will lead to better results if the political authorities stay neutral. In contrast, the respect argument proposes that it would be wrong to interfere with of autonomous choices *even if* it were beyond reasonable doubt that such interference would improve the lives of the affected persons. This confronts us with two questions: (i) What are autonomous choices and (ii) in what sense can such choices be non-optimal?

Regarding the first question, I agree with Sher that autonomy can be conceptualised as reason-responsiveness and that, among other things, "an agent's desires, history, capacities, and traits" (1997, 52) are reason-generating. People choose autonomously if their choices respond to their actual reasons. Moreover, I take Sher's assumption aboard that "an autonomous act need not be supported by the agent's *strongest* reasons" (1997,

54; italics original). Autonomy has thus a passive and an active component, so to speak. The passive component consists in the ability to understand which aspects of a situation generate reasons. In contrast, the active component consists in the capacity to produce a choice that is supported by (at least) decent reasons. People who fail to understand their actual reasons or who fail to take an option that is supported by (at least) decent reasons do not act autonomously.

Sher gives the following example for an autonomous (but suboptimal) choice: X has a strong desire to marry Y, but "also knows that their marriage will fail unless he gives up his career. Suppose, further, that X knows that his talents are modest and that his career is not promising in any event. Knowing all this, X may well have more reason to marry Y than to pursue his career" (1997, 53-54). Since X has most reason to marry Y, it would be best for him to marry Y. Let us assume that he is about to choose the decent (but suboptimal) option and split up with Y in order to pursue his career. Under these circumstances, his life would run a better course if the decent (but suboptimal) option would be externally blocked by coercion, non-rational manipulation or incentives. Consequently, it is conceivable that interference induces *X* to do what is best for him (in terms of actual reasons that would obtain without interference).

Respect for autonomy implies respect for autonomous, but non-optimal choices. *A* respects *X* as an autonomous person, if *A* does not try to interfere with *X's* autonomously chosen plan P_1 (to pursue his career) even if *A* knows that a better feasible plan P_2 (marrying *Y*) exists for *X*.

The *respect argument* rejects interference with autonomously chosen plans – but what, precisely, constitutes objectionable interference with autonomy? To this end, I shall introduce the notion of 'first-person authority'. First-person authority is the right of a person *P* to decide to which of his or her *(P's)* decent reasons he or she *(P)* responds. I shall examine four candidates for the title of objectionable infringement of first-person authority.

John Stuart Mill famously argued that advice and persuasion are justifiable forms of intervention (1859/1977, 292). It does not seem disrespectful *per se* if *A* shares with *X* her reasons to believe that *X* would have a better life if he were to follow P_2 instead of P_1. But if *X* is an autonomous person, he has the right to decide whether and to what extent he wants to hear or heed *A's* advice. Special relations, like friendships, are characterised by giving *A* the license or even the responsibility to be more insisting in sharing her thoughts on *X's* well-being. Nonetheless, even among friends, it is *X's* right to decide whether and when he has heard enough. *X* has the right to decide whether and when he is accessible to *A's* views about what he, *X*, has most reason to do. The first form of objectionable interference with autonomy consists in violating this right. As I see it, this right is uncontroversial. *A fortiori*, it should be uncontroversial that *X* has the right to decide to which of his decent reasons he responds.

The second form of objectionable interference with autonomous choice consists in the use of threats. *A* threatens *X*, if she changes *X's* choice set by introducing an unattractive prospect in case of non-compliance. The unattractive prospects range from

Mill's 'natural penalty' of avoidance ("if you idiot don't marry Y, I will never talk to you again") to torture and killing. By threatening, *A* produces intentionally new reasons (avoidance of unattractive prospects) and thus infringes *X's* first-person authority.

Non-rational manipulation changes *X's* perception and evaluation of his options by making use of causal mechanisms unrelated to *X's* independent reasons. For instance, *A* may try to make *X* jealous of *Z* who is also after *Y*; or *A* may tell *X* time and again that other men were willing to die for *Y*, thereby exploiting the tendency to conform with the judgement of the many. Non-rational manipulation is a seemingly unobtrusive way of promoting the good of *X*. Benevolently tricking someone into doing what is best for him appears to be more acceptable than threatening him. Nonetheless, it interferes with *X's* first-person authority.

An incentive enhances the attractiveness of an option. If *A* promises *X* to bequeath him her house if he marries *Y*, she gives *X* an additional reason to marry *Y*. Some philosophers have reservations about incentives. Maybe the idea is that such interference diverts the attention from the reasons a person has independently of the interfering action (Julius 2011). For instance, a material incentive disturbs the process of *X's* reflection as to whether a marriage with *Y* would be best in view of the 'inherent qualities' of such a relationship. But if this were reprobate, one would have to ignore all independent changes in material circumstances while pondering on the decision because they, too, divert the attention from 'inherent qualities'. If *X* would win a house in the national lottery, he would possibly find it much easier to see that marrying *Y* is best for him, because the prize changes the relative costs and benefits of his career plans.[3] However, there appears to be nothing objectionable about such a change of mind. By parity of reason, it is not obvious why the use of incentives should count as a form of infringement of first-person authority.

IV. Reasons for Respect

Sher asks at one point: "If governments or their agents have well-grounded beliefs that residents' lives are improved by close and committed family relationships, or that the breakdown of public civility is a bad thing, why shouldn't they promote public civility or the family even at the cost of sacrificing some autonomy. Or, again, why shouldn't they sacrifice some autonomy to promote such values as high culture or communal solidarity" (1997, 57).

When Sher speaks about "well-grounded beliefs" in this passage, he presumably has in mind beliefs that are supported by his "empirical substitute for a teleological essentialism" or "poor man's Aristotelianism" (1997, 240), as he puts it facetiously. Political neutralists would not regard it as morally wrong if political agents were to support laws or policies *because* they accept as true an "empirical substitute for a teleological essentialism" – as long as they are convinced that the law or the policy is part of an overlapping consensus. A political agent who is personally convinced that Sher's empirically based essentialism is true, has to bear in mind that others might be not so convinced. Again, this lack of consensus is no cause for great worry, as long as people agree on the level of

political action. The promotion of public civility, the family, high culture or communal solidarity is possibly less divisive than the philosophical theories that provide the justifying reasons. From the point of view of political neutralism, officeholders would just act morally wrongly if they were to promote a Conception of which they know that it is not in accordance with the value beliefs of a critical number of autonomous residents.[4] I am not absolutely certain where Sher stands in this matter, but his position has certainly the most bite, if it states that "poor man's Aristotelianism" licenses political agents to override autonomously chosen life-plans.

Premise 'i' and 'ii' of the respect argument support the claim that it is morally wrong to interfere with autonomous choice. But what supports these premises? Why is it morally wrong to interfere with autonomous choice?

The most straightforward answer to this question claims that interference with autonomous choice infringes upon first-person authority and that this is the "bedrock where our spade is turned"[5], as Wittgenstein has put it. First-person authority is a fundamental right not capable of further justification. Although I agree that first-person authority is fundamental, it seems possible to present some (admittedly very) sketchy remarks as to *why* it is fundamental – and these explanations have in my view some justificatory power. Sher defines autonomy as the capacity to respond to reasons. This capacity is crucial for our notion of agency which, in turn, is a cornerstone of our understanding of what being human essentially means. Moreover, autonomy is not just an essential feature of human nature; the exercise of autonomous choice is also a precondition for experiencing one's life as one's own. Autonomous choice makes us human as well as making us an individual self. Both aspects explain why we have a supreme interest in autonomy; and it is this interest that first-person authority protects.

Let me emphasise that I do not claim that autonomy is a necessary condition of value in the sense that aspects of one's life, which have not been chosen autonomously, lack value.[6] An arranged marriage may be rich in many valuable experiences and activities. My claim is (i) that autonomy is essentially human, (ii) that autonomous choice is a precondition of experiencing one's life as one's own and (iii) that we have therefore a supreme interest in autonomy. It conflicts with first-person authority (and is, *prima facie*, wrong) to use political power with the intention:

(i) to force people to live in ways, which they disapprove (at t_1) with decent reasons (or to force people to abstain from a way of living, which they approve (at t_1) with decent reasons).

(ii) to non-rationally influence people's normative judgements (at t_1) in a way that causes them to lead a life, which they disapprove (at t_1) with decent reasons (to non-rationally influence people to abstain from a way of living, which they approve (at t_1) with decent reasons).

If you have decent reasons for your way of living, any attempt on my part to manipulate you by means of coercion or indoctrination infringes upon your first-person authority and disrespects you thereby.

V. Leeway for Political Perfectionism

In the passage I quoted at the beginning of the last section, Sher raises the question why we should not "sacrifice some autonomy to promote such values as high culture or communal solidarity" (1997, 57). Sher assumes that high culture and communal solidarity are valuable because they contribute to the attainment of our fundamental goals. They give us strong reasons for action, fundamental reasons, so to speak. The obvious question to ask is how the sacrifice of autonomy is possible if autonomy is defined as reason-responsiveness? We choose autonomously if we respond to the reasons we actually have. If high culture and communal solidarity are values that are related to fundamental reasons, how could autonomous agents possibly fail to respond to them? Which causal mechanism is responsible for such a misjudgement?

One possible answer is that *A* chooses a suboptimal option because *A* has acquired less than perfect tastes and habits. For example, *A* may dislike high culture and prefer pop culture. This gives him or her a decent reason to consume pop culture and to steer clear of high culture. His or her taste is less than perfect since it does not track his or her fundamental reasons in the optimal way. I call this the 'spoiled taste explanation'. Another answer states that *A* may consider his or her decent reasons as optimal reasons. For instance, a devoted reader of postmodern aesthetics may doubt that there is more aesthetic value in a Verdi opera than in Pulp Fiction; or a Benthamite may deny that poetry is better than push-pin; someone may argue that communal solidarity comes with subtle forms of social control and is thus an ambivalent matter. In this manner, values, such as high culture and communal solidarity, may be questioned with sufficiently good reasons. There may be room for reasonable disagreements. I call this the 'burden of judgement explanation'.

In a dynamic perspective, it is imaginable that the use of threats or non-rational manipulation enhances the quality of life *and* the autonomy of *A* by helping *A* to get rid of spoiled tastes and habits. Here I agree with Sher (1997, 63). But I claim that infringements of first-person authority are ineligible in cases of reasonable disagreement. This is another way of saying that political interference must be based on an overlapping consensus. The burden of judgement explanation may thus help us to shed some light on how consensus and autonomy are related. If all, or almost all, agree that some activity φ does not contribute to life's value, it is unlikely that one has decent reasons to φ. Consequently, it is very likely that people φ non-autonomously. If, for instance, literally no one believes that typical cases of obesity or smoking crack can result from sufficiently good tastes and habits, political intervention is allowed.

What about the following case? A political agent proposes the use of public funds for an emotional advertising campaign that deters adults from extramarital sex. Does the political agent violate the principle of neutrality in this case? Let us assume that the campaign portrays extramarital sex as degrading, hazardous and destructive. It draws the viewer's attention to the danger of destroying important social goods, like an intact family life, for a fleeting episode of lust; it shows how innocent young people are being deceived

and exploited by slick cynics; and it depicts with gusto the possibility of contracting revolting diseases. For the sake of argument, I shall assume that extramarital sex does *indeed* generally tend to worsen the life of all parties involved, but that there is no consensus to this effect in society. There are dissenters, believers in poly-fidelity, who obtain their inspiration from books about the Bloomsbury Group or biographies on Jean Paul Sartre and Simone de Beauvoir. Under these circumstances, the value of extramarital sex seems to be a matter of reasonable disagreement and the government should refrain from interfering.

Compare this with a law against smoking. One purpose of such a law would be, of course, to protect the inexperienced and weak-willed who are exposed to peer-pressure and massive commercial advertising and who do not respond to objective information about the risks involved in smoking. Since not even the cigarette industry seems prepared to make a case for the value of smoking, I presume that there is no case to be made to this effect. Thus no one seems to believe that smoking contributes to life's value. This is good evidence for the general claim that smoking is typically not part of an autonomously chosen plan. The law would therefore be innocuous from a political neutralist point of view. I am perfectly aware that many a neutralist finds such a conclusion outrageous, in particular those who cherish Mill's famous harm principle or those who think that people are self-owners. Arguably, a general law against smoking would be wrong for independent reasons. It would involve serious interference with privacy and probably produce undesirable side-effects, as is the case with other drugs. But I am convinced that we would be ill-advised to interpret first-person authority in a way that includes the right to groundless self-harming behaviour.[7]

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NOTES

1. I agree with Sher that the idea of justificatory neutrality has an action-guiding dimension and refers to the reasons which a political agent takes into account during practical deliberation (Sher 1997, 27).

2. The referee rightly points to the fact that I deviate from the dominant Rawlsian interpretation of public reason, as articulated by Quong (2005) and Schwartzman (2004).

3. Julius thinks there is a requirement for "any person that she not aim to produce an act, whether her own or another's, except by helping the doer of the second act to do it for reasons she already has" (Julius 2011, 3).

4. One might ask how many people constitute a "critical number of residents" and why numbers count at all. The number of people matters for epistemic reasons. The more people hold certain value beliefs, the more likely it is that sufficiently good reasons for these beliefs exist.

5. "If I have exhausted the justifications I have reached bedrock, and my spade is turned. Then I am inclined to say: This is simply what I do" (Wittgenstein 1953, §217).

6. Sher examines this view in *Beyond Neutrality* (1997, 58-60).

7. I wish to thank an anonymous referee for very helpful comments and suggestions.

Neutrality as a Constraint on Political Reasoning

Kalle Grill – Uppsala University, Sweden & Keele University, UK

I. Introduction

George Sher's book *Beyond Neutrality: Perfectionism and Politics* has, he says, two main purposes. The first is to "defuse the main reasons to deny that the state may seek to promote the good", the other is to "develop a conception of the good that is worth promoting" (1997, 1). In the present contribution, I will not be concerned with either of these aims. Instead, I will focus on Sher's preliminary discussion of the "scope and meaning" of neutralism (1997, 20). I consider Sher's careful analysis of the structure of neutralism one of the book's virtues, alongside his original theory of the good and his comprehensive and convincing arguments against neutralism. This careful analysis inspires me to attempt some critique and development.

I will defend an account of neutralism according to which this doctrine puts a constraint on what reasons should enter into political reasoning. What I defend is not neutralism *per se*, but only this account of neutralism relative to competing accounts. I believe this account is an improvement on Sher's, in terms of conceptual precision and normative plausibility, both in general and from the perspective of the doctrine's proponents in particular.

I will present the account I favour as a development of Sher's and will reach it via several steps. Like Sher's account, my development builds on common ideas in the neutralism debate. If it is original at all, it is so only by being more precise than existing accounts in some respects, thereby avoiding common ambiguities. Like Sher, I will focus on the 'first-order' neutrality of politics, rather than on the 'second-order' neutrality of fundamental political principles like first-order neutralism.[1] For ease of presentation I will speak throughout of 'policies', with the understanding that this can include any sort of government activity or any result of such activity.

II. Sher's Subjectivist Account of Justification

The neutrality of policies can be determined either by their consequences or by their rationales (Kymlicka 1989). Sher's account is focused on rationales rather than consequences and more specifically on justification rather than motives. This is the dominant interpretation of neutralism, though the distinction between justification and motives is often blurred by speaking loosely of making decision 'on the basis of' nonneutral reasons, or similar expressions (e.g. Caney 1991).

In rejecting motivational neutralism, Sher notes that this approach requires that a set of reasons be identified (namely those that motivated the relevant people in the

relevant way) that are then to be checked for neutrality. As an alternative approach, Sher proposes that we search more widely for whatever justification qualifies as neutral in the right way and then treat that justification as the relevant one (1997, 24). He calls such a justification a 'possible argument'. This is an interesting strategy with clear advantages over motive-focused accounts. However, Sher's account shares with motive-focused accounts the assumption that a rationale must be identified. To anticipate, I will later argue that this assumption should be rejected.

In chapter 2 of his book, Sher considers three alternative formulations of neutralism. Here is the first:

> (N) A law, institution, or other political arrangement is neutrally justifiable if and only if some possible argument for it has only neutral normative premises (1997, 25).

The problem with this formulation, Sher argues, is that it is too weak – for any policy there is a possible argument with neutral premises. Simply to identify a neutral argument is insufficient for neutrality, since this argument may be insubstantial or even based on mistake. Sher therefore considers this strengthened formulation:

> (N') A law, institution, or other political arrangement is neutrally justifiable if and only if at least one possible argument for it (1) has only neutral normative premises, and (2) contains no falsehoods or inferential mistakes, and (3) provides a reason for adopting the law, etc., that is stronger than the reasons provided by any arguments for any alternative arrangement (1997, 25).

The problem with this formulation, Sher argues, is that it is too strong – it is too demanding to require that neutral policies be optimal policies. This leads Sher to settle for the following formulation, stronger than the first but weaker than the second:

> (N") A law, institution, or other political arrangement is neutrally justifiable if and only if at least one possible argument for it (1) has only neutral normative premises, and (2) contains no implausible premises or obvious fallacies, and (3) provides a justification of reasonable strength (1997, 26).

(N") stands out among these three formulations by relying heavily on subjective judgment. Sher correctly notes that "implausible", "obvious" and "reasonable" are all both vague and "relative to certain background beliefs" (1997, 26). He quite consciously makes neutralism a subjective doctrine in this sense. The judgments or beliefs in question, Sher proposes, are those of whoever is considering the argument in practical deliberation. Possible arguments, similarly, are arguments that are recognized as possible by the deliberator. In other words, as far as any policymaker is concerned, a policy is neutral if he or she can think of a neutral argument that, according to his or her own lights, contains

no implausible premises or obvious fallacies and provides a justification of reasonable strength.[2]

III. Against Subjective Neutralism

The subjective (N") is too relativist. According to this account of neutralism, we cannot criticise a policymakers for being insufficiently neutral by pointing out to them that their supposedly neutral argument, which they find convincing, is in fact invalid, leaving only nonneutral arguments to support their policy. What we can do, of course, is to criticise them for being mistaken about the validity of their argument. However, such mistakes do not by themselves conflict with neutrality. I suppose that a policy may be nonneutral to us if we consider it in our practical deliberation and find it lacking a neutral justification. This does not mean, however, that the policy is nonneutral to the policymaker, nor that he or she has any reason to change his or her mind.

I consider it most typical and most reasonable to be concerned with what arguments are in fact valid, regardless of how things seem to any particular person. For example, it is reasonable to be concerned when a policy is neutral, or nonneutral, according to (N"), only because of a mistake of practical deliberation. It may seem that we could introduce further terminology to deal with this, using terms like 'objectively neutral' and 'objectively nonneutral' to capture what policies would be neutral or nonneutral if there were no mistakes. However, what we are after, or should be after, is a single definition of neutralism that accommodates reasonable liberal concerns regarding political neutrality. This definition, I believe, cannot be Sher's subjective formulation.

Sher probably ascribes this subjective character to neutralism because he finds it reasonable, even though he is, ultimately, aiming to refute neutralism. That Sher is generous in this sense is indicated by the fact that the principle (M), which Sher later proposes as a superior alternative to neutralism, also only requires that policies *seem* justified to the deliberator, as opposed to actually being supported by valid reasons:

> (M) Do not support any law or policy on the basis of any conception of the good that you have not scrutinized and found to satisfy your usual standards of justification (1997, 131).[3]

While (M) is importantly different from (N") in not attempting to define what policies are neutrally justifiable, but rather just issues a requirement, (M) shares with (N") the subjective approach: the standards of justification are those of whoever is considering supporting or otherwise taking action in regard to a policy.

Interestingly, Sher seems at times quite aware of the inherent problems with this form of subjectivism. In chapter 2, he presents two arguments against motivational neutralism, which both have to do with its subjective nature. First, because most laws and policies are implemented by many people acting together and because each of these

people typically have mixed motives for their actions, it is very difficult or even impossible to determine when a policy is motivationally neutral:

> [M]ost laws and policies are implemented not by single individuals but by many people acting in concert, and most agents have a variety of reasons for what they do. Thus, on the current [motivational] proposal, the legitimacy of most political arrangements will be very difficult if not impossible to ascertain (1997, 24).

Second, a neutralism of motives would entail that nonneutral laws can be made neutral by being repealed and then passed again with different motives (1997, 24) The first argument shows that motivational neutralism is useless in practice, though not necessarily unreasonable; while the second argument shows that motivational neutralism is normatively arbitrary, which is difficult to accept.

These two arguments in chapter 2 lead Sher to favour his own justificatory neutralism as the most plausible version of neutralism. From chapter 3 onwards, the book aims to undermine the supposedly most plausible version of neutralism. In pursuing this aim, however, Sher later presents the following argument against neutralism:

> Because policy makers and legislators are not always candid, because individuals often lack insight into their own reasons, and because different persons can support the same laws or policies on very different grounds, there is often no way to discover whether, or to what degree, a proscribed sort of justification has been operative (1997, 117).

This is essentially the same argument as the first argument levied against motivational neutralism earlier in the book. The second argument against motivational neutralism can also be applied to Sher's account of justificatory neutralism: justificatory neutralism entails that nonneutral laws or policies can be made neutral by being repealed and then passed again after a practical deliberation based on different reasons. Admittedly, his justification must seem sufficiently strong and correct if the policy is to be made neutral. However, this requirement is analogous to the way the alternative motives used to make laws neutral according to the motivational account must be able to motivate lawmakers. In both cases, the prospects for neutrality hinge on the psychological flexibility of the relevant agent(s). Since this is a serious flaw in motivational neutralism, as Sher recognizes, it should not be built into our best account of neutralism.

While insisting on subjectivity for neutralism and for his own favoured principle (M), Sher is far from a thoroughgoing subjectivist. On his stated view of practical deliberation, an agent's reasons are "provided by his situation" and in that sense objective, independent of the agent's state of mind (1997, 48). Values, too, are objective in the sense that they are "outside the subjectivity of the person" (1997, 219). Yet when Sher formulates the doctrine that purports to restrict the reach of these objective reasons, he opts for apparent validity only. I propose that a superior alternative, and one not alien to

Sher's own overall approach, is to place these restrictions outside the subjectivity of the person, together with reasons and values.

IV. Neutralism, Justification and Reasoning

I have argued against the subjective elements of Sher's favoured formulation (N"). I now turn to another problem, which is shared by all three formulations that Sher considers, including the objective (N'). The problem stems from the fact that all three formulations purport to say when a policy is or could be justified, which means they include their own theory of justification. According to (N'), justification has to do with recognizing as possible an argument that one believes to have certain qualities. According to (N"), it has to do with recognizing as possible an argument that in fact has certain qualities. In both cases, neutralism is wedded to a particular theory of justification, or to bits of such a theory. This is problematic because it is a matter of great controversy what exactly justification is. If neutralism presupposes some particular theory of justification, it stands or falls with that theory.

Making neutralism dependent on a theory of justification may not be a great problem if one is operating within a larger framework which includes such a theory, such as, arguably, John Rawls' (e.g. 1997) idea of public reason, though conclusions concerning neutralism are then valid only within that framework. If, however, like Sher, we are trying to assess the doctrine of neutralism rather independently of other commitments, then this dependence on a theory of justification is clearly unfortunate. One of the controversies concerning justification is to what extent it is subjective and to what extent objective, as shown by my critique of Sher's subjective approach. This controversy is not at the heart of interpreting neutrality as such. To see this, assume that for some policy, only reasons that all agree are neutral are invoked or relevant. This does not preclude disagreement on whether the policy can be justified (or justifiable) for one person and not for another. Another controversy surrounding justification, and a largely unsolved problem, concerns how exactly a number of different reasons can lead to a normative conclusion. Yet another concerns whether the proper process of reasoning is different for different sorts of justification-like normative conclusions.[4]

The dependence on some theory of justification can be avoided by understanding neutralism as a constraint on reasoning that filters out nonneutral reasons, or facts that would otherwise be or provide nonneutral reasons. Any theory of justification must include a role for reasons as input. Neutralism as a constraint on reasoning can be applied to filter this input, independently of the process that, based on the remaining input, yields an output in the form of a justification. Not only is neutralism on this account independent of the nature of justification, it is also independent of whether the reasoning process is one of justification at all, or perhaps instead a process of forming motivations, or one of public deliberation that may or may not yield a justification. The constraint can apply to any process that takes reasons as input.

Defining neutralism in terms of reasoning may seem a step towards subjectivity, since justification can be mind-independent, while reasoning only goes on in our minds. Whether justification can be mind-independent is controversial, as is whether the justification of political arrangements is a special sort of justification – *political justification* – different in kind from (other forms of) moral justification. In fact, it is not obvious how we should individuate reasons more generally: is the fact that some policy will benefit some people one reason, which can be invoked in different sorts of justificatory reasoning, such as prudential and moral, or is it rather that this fact provides or constitutes several different reasons, one for each sort of reasoning? These are questions practically oriented neutralists need not answer before they formulate their doctrine. That the neutralist constraint applies to reasoning means that it applies to the way we deal with reasons, whatever they are exactly and whether or not they can exist independently of our dealing with them.

V. Neutrality as Constraint

The rather simple idea that neutralism filters out reasons is neither new nor uncommon. It is, for example, how neutralism is understood by the important critics Steven Wall (1998) and Peter de Marneffe (2010, esp. 134). In fact, this idea is stated very clearly by Charles Larmore in a sentence quoted by Sher (1997, 23): "Political neutrality consists in a constraint on what factors can be invoked to justify a political decision" (1987, 44). De Marneffe and Larmore focus on justification only, but these are all filtering approaches.

It is one thing to recognize that neutralism functions as a constraint and another to limit one's understanding of neutrality to this constraint. In the two sentences following the one just quoted, Larmore goes on to provide part characterizations of both neutral political decision and neutral political action. This may simply be meant to illustrate the constraint approach, but the focus on the neutrality of decisions, actions, laws and governments is very common. According to the constraint of reasoning approach, however, neutralism is not a criterion for neutral decisions, actions, justifications, or anything else. It is merely a constraint.

In practice, of course, there will be breaches of neutrality. However, such breaches need not be normatively relevant. In a subjective justification process, for example, reasons that should be filtered out may not be, but this need not affect the output if there are sufficient neutral reasons for the policy. This shows that it is not obvious how a neutralist should respond to breaches of neutrality. It seems very plausible that this will vary with context. Beyond all contexts, however, the neutralist requirement is clear: only neutral reasons are to enter the reasoning process.

Interestingly, Sher himself captures the essence of neutralism as a constraint on reasoning when he refers to neutralism later in the book and gives it this abbreviated ("roughly speaking") wording:

> (*N*) Do not support any law or policy on the basis of any particular conception of the good life (1997, 131).

(*N*) does not mention possible arguments, nor subjective notions such as 'plausible', 'obvious' or 'reasonable', and it does not purport to determine which policies are neutral, or neutrally justifiable. These are important advantages over (N"). The notion of supporting a policy on a certain basis raises questions. For example, do I support a policy on the basis of a particular conception of the good life if I support it for two reasons that I consider independently sufficient, one of which is that the policy furthers a particular conception of the good life? Also, can I support a policy on the basis of a particular conception of the good life without believing that this is what I am doing? Questions of this sort can be avoided by a slight reformulation:

> (*N'*) Exclude reasons based on any particular conception of the good life from reasoning about any law or policy.[5]

The phrase "particular conception of the good life" here serves to identify what sort of reasons should be filtered out by neutralism. The use of 'life' is traditional but actually misleading, since both Sher and typical neutralists mean neutralism to filter out some reasons that do not concern the good (human) life. Sher, though frequently using the 'life' qualification, mentions one example – the US Environmental Protection Agency treating "the continued existence of species and habitat as intrinsic goods" (1997, 112). Therefore, 'life' should be dropped.

Sher apparently uses the term 'particular' instead of 'controversial', perhaps because the latter is more controversial, though Sher seems to think that controversy is in fact at the heart of the meaning of 'conception of the good' (see 1997, 41). Any more substantial version of the neutralist doctrine must specify exactly what reasons are filtered out, whether by identifying a type of reason or rather a list of such types.[6] Since there is much controversy here, and since Sher's formulation does not seem to capture his own views very well, it is perhaps best to give this more general characterization of neutralism:

> (*N"*) Exclude nonneutral reasons from reasoning about any law or policy.

VI. The Who and When of Neutrality

Having argued for (N") over (N) and (N'), Sher goes on to discuss the application of neutralism along four dimensions – which agents are bound by the doctrine, at which political levels does it apply, for which methods of influence, and what is a conception of the good anyway? (1997, 28)[7] I agree with Sher that the specification along the three latter dimensions must depend on the exact normative basis for neutrality (1997, 33-34; 37; 44). However, I disagree with Sher's specification along the first dimension.

The question is: who should be neutral? And possibly: when or in what capacity? The standard answer is: government agents, in their role as such. Observing an obvious complication with this focus on governments, Sher notes:

> Individuals can influence governments in many ways. They can do so, inter alia, by voting for persons to represent them as legislators or in the executive branch, by representing others in turn, by acting in various administrative and bureaucratic capacities, by trying to amend the Constitution, and by advising or lobbying persons in each of the other roles (1997, 29)

Sher proposes that this complication can be overcome by assuming that anyone who influences the government directly is bound by neutralism (presumably because they are part of the government), and that anyone who influences the government more indirectly is instead "obligated to minimize the likelihood that his government will act for nonneutral reasons" (30). This manoeuvre leads to two problems, which Sher does not address. First, the new principle is distinct from neutralism proper and so a line must be drawn between directly and indirectly affecting in order to determine who is governed by which principle. Second, an obligation to minimize nonneutrality is over-demanding, as all other concerns will be subordinated to this obligation. Both these problems could probably be avoided by appropriate reformulation. Leaving them to one side, therefore, there is a greater and more general problem with the focus on governments.

If neutralism proper only applies to government agents, nothing prevents non-government agents from intentionally bringing about nonneutral effects by political means. For example, voters do not violate neutrality if they vote for representatives they believe will promote a pious or experimental lifestyle for what the representatives believe are neutral reasons.[8] In general, political reasoning need not be neutral in the least; it must only consider the constraint on the reasoning of government agents (or, according to Sher, on their subjective justification).

Consider also this extreme, hypothetical example: a group of powerful people manage to install (by democratic or nondemocratic means) a government that will promote a pious or experimental lifestyle. The group does so for what it sees as the good of all. While government agents will promote the controversial lifestyle, they will mistakenly believe that they are only promoting neutral values. Perhaps the powerful group has managed to instil this belief, or perhaps they have chosen people for their scheme who had the appropriate beliefs beforehand. By their actions, the powerful group has minimized the likelihood that their government will act for nonneutral reasons and so they conform to Sher's demand on indirect influencers. Furthermore, the government itself implements only neutrally justifiable policies, according to (N"). More generally, no neutralist restrictions on government action or public political discourse have been breached. The whole process, however, seems far from neutral.

All of these problems can be avoided by letting neutralism apply to anyone at any time. Sher insists that neutralism should not be confused with the requirements of

certain political roles, such as that of apolice officer (1997, 30). I propose that the role of government agent is also a political role in this sense and that neutralism applies independently of such roles.[9] There must be some restriction of course. I propose the restriction should come in terms of the *content* of reasoning, rather than in terms of who is doing the reasoning. (*N*") applies to reasoning about any law or policy. Since taken literally this would apply to theoretical reasoning about laws and policies, (*N*") should be modified to apply to reasoning about what any law or policy should be, or perhaps more generally what any government institution should or should not do.[10] This is a comprehensive form of neutralism. The content of reasoning could be restricted further, though the problems entailed by a narrow scope may then resurface. For example, Rawls (e.g. 1993; 1997), at least primarily and for the most part, applies neutralism only to a sort of public reasoning about constitutional matters. Unless complemented by other political principles, this form of neutralism does not apply to voting or installing governments.

The modified (*N*") is comprehensive in another way – it applies to all sorts of normative reasoning about the government. Neutralists may want to restrict their doctrine to *political* reasoning, marking a distinction to, for example, prudential reasoning. Perhaps it is not a breach of neutrality for me to consider what some policy should be like in order to benefit my interests. Perhaps, even if political rather than prudential reasoning is sometimes required, this requirement is not one of neutrality. To keep this option open, this is my final formulation of neutralism, understanding political reasoning as *impartial* reasoning about what the government and its institutions should or should not do:

(*N*"") Exclude nonneutral reasons from political reasoning.

Neutralism as excluding reasons from political reasoning may seem, together with Sher's (*N*), a more demanding doctrine than Rawls' neutralism based in public reason. Rawls allows that we "introduce into political discussion at any time our comprehensive doctrines", as long as sufficient neutral reasons are forthcoming (1997, 776). On the other hand, such introduction is an act of "declaration" and not "a form of public reasoning" (1997, 786). It is also aimed at expressing support for fundamental principles rather than for particular policies (1997, 784-5). If considering politics from within a comprehensive doctrine is not reasoning about what the government should do, then the public role Rawls sees for comprehensive doctrines is consistent with (*N*"").

VII. Conclusion

One of the virtues of *Beyond Neutralism* is that it opens with an ambitious and much needed discussion of the structure of neutralism. However, Sher's favoured formulation of neutralism has several weaknesses. It is too subjective, implying that implementing sectarian policies can be consistent with neutrality if only policymakers

see a neutral justification that they mistakenly find sufficient. It is also restricted to government agents, implying that successful manipulation of the government into promoting controversial lifestyles can be consistent with neutrality. It is furthermore dependent on a specific theory of justification. The constraint on reasoning account of neutralism avoids all these problems. It is also in the spirit of Sher's general approach and later arguments, as well as in the spirit of other important interpretations of liberal neutrality. Adopting this approach should make for a more plausible doctrine of state neutrality. Whether or not that doctrine should be accepted is another and more difficult matter.

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NOTES

1. This distinction is emphasized by Peter de Marneffe (1990).

2. Attaching the subjective condition "seems to" first in condition (2) and (3) in (N') would produce a formulation which would be as subjective as (N") but stronger and more precise.

3. Sher seems to confirm his commitment to this principle in a 2003 article.

4. Such as permissibility and requirement; see, for example, Gert (2007).

5. This exclusion could be understood as based on an exclusionary reason, in the terminology of Joseph Raz, in the sense that it is a good thing if excluded reasons are conformed with, though they should not be complied with (e.g. 1975/1990, 185). This could explain the ambivalence some feel about the exclusion (cf. Raz 1975/1990, 41).

6. See De Marneffe (2006) for an argument to the effect that nonneutral reasons lack a common denominator.

7. Strictly speaking, since (N") concerns the neutral justifiability of policy, these dimensions do not specify the application of (N"), but rather when we should be concerned with neutral justifiability. I will disregard this in what follows.

8. Jeremy Waldron both reinforces the focus on government agents and indicates the possible problems when he states that neutralism applies to a person "in her capacity as legislator (and presumably as voter)" (1989, 70).

9. Raz, in his discussion of neutralism, typically speaks mostly of governments and their actions, but, introducing this discussion, he observes "the deep-felt conviction that it is not within the rights of any person to use the machinery of state in order to force his conception of the good life on other adult persons" (1986, 111).

10. Steven Lecce proposes that "the neutrality constraint must exclude sectarian values *whenever* citizens' interactions with one another are mediated through state agencies, at every level" (2008, 233).

A Dilemma for Perfectionism

Kirsten Meyer – Humboldt University, Germany

I. INTRODUCTION

Perfectionism is still a frequently discussed position in political philosophy (Wall 2010; Nussbaum 2011). According to a perfectionist approach to politics, it is permissible for state officials to favour certain ideals of the good life over others on the grounds that they are more worthwhile for human beings (Clarke 2006, 11; Wall 2010, 222). This perfectionist commitment to promoting valuable ideals also includes controversial ideals. Against this, liberals hold that the state should refrain from such a commitment to a certain conception of the good life. In their view, there is a variety of reasonable

conceptions of the good life in a pluralist society. They hold that the state ought not to prefer one over the other and justify its actions with reference to a certain ideal. The aim of this contribution is to show that in rejecting this liberal requirement, perfectionists are faced with a dilemma: their position either coincides with the liberal position, or the perfectionist proposal to promote a certain conception of the good life cannot be justified.

II. What is Perfectionism?

With reference to ancient conceptions of the good, one might characterise perfectionism as the proposition that the goal of our actions should be the complete development of our abilities and the best performance of our activities. Thus it is assumed that our abilities have to be 'perfected'. In political philosophy, such accounts of the good life are often called 'perfectionism' and its proponents refer to themselves by that term (Hurka 1993). However, the term 'perfectionism' does not always designate positions that indeed suggest the perfection of something. Rather, it is also used to designate positions that transcend mere subjectivist theories of the good life. George Sher is an example in this regard. He characterises subjectivism as the approach that reduces everything that is good (for us) to our present or ideal desires, choices or enjoyments, or to a combination of all these factors. According to Sher, a perfectionist denies that this suffices: "By contrast, if a view *denies* that these factors exhaust the determinants of value, I shall call it a form of *perfectionism*" (1997, 8ff.). Sher assumes that subjectivism deals with attitudes that are "peculiar to individuals." By contrast, he is concerned with "very general goals that characterize the human species" (1997, 198). Sher maintains that the achievement of our fundamental goals relies on the prior development of specific abilities. Hence, it is a consequence of his approach that certain abilities should be promoted, such as the ability to appreciate certain aesthetic values.

With respect to the promotion of these abilities, Sher is a perfectionist in a second sense of the term 'perfectionism'. The first was connected to a certain conception of the human good. Perfectionists in the first sense take a stance on the human good. Moreover, in the realms of political philosophy the term 'perfectionism' is also used to describe an approach that argues in favour of the *promotion* of the good and in contrast to the principle of neutrality. In this case, perfectionists try to develop a theory of *public actio*n rather than a theory about the good life. In principle, both versions of perfectionism can stand apart. However, most proponents of a political perfectionism also endorse a conception of the good.[1] This is not surprising, since it especially makes sense to generally argue in favour of the permissiveness to promote the good if one can think of a certain conception that should indeed be promoted.

Perfectionists in the second sense think that the state may take a stand on what is a worthwhile way of life and help people lead good lives. Perfectionism thereby sees itself as opposed to political liberalism. However, since liberals may also claim that it is permissible for the state to support shared ideals of the good, Stephen Wall adds that "the

perfectionist commitment to promoting valuable ideals should be construed to include controversial ideals" (2010, 222 n.3). So the core disagreement between liberals and perfectionists seems to be that according to the perfectionist, the state should be allowed to promote the good even if there is no agreement about it. If there is no agreement about the good, the political liberal would demand neutrality between the different conceptions of the good. Perfectionists, therefore, oppose state neutrality.

What are the reasons for state neutrality the perfectionist is determined to challenge? In arguing for state neutrality, John Rawls famously pointed to the 'fact of pluralism' (1996, 24ff.; 58ff.; 216ff.). He refers to the fact that in liberal societies there is no universal religious, philosophical or moral conception about the good life shared equally by all citizens. Rawls thinks the rivalling conceptions about the good life are equally reasonable. He thinks that the persistence of disagreements about the good under conditions of political freedom demonstrates that these disagreements are not based on identifiable mistakes. As a matter of fact, even if different persons are in possession of all relevant information and would contemplate impartially, they can still reach different results about their allegedly reasonable conceptions about the good. This is what Rawls calls the 'fact of pluralism' and thereby he emphasises the fact of a 'reasonable' disagreement.[2]

Rawls concludes that there are specific kinds of state action that must not be justified with reference to contested conceptions of the good.[3] Governmental constraints cannot be justified if the reasoning behind these constraints includes presuppositions that cannot not be shared by their different, but equally reasonable, proponents (Rawls 1996, 134ff.). Others who argue in favour of the principle of neutrality also claim that the assumption of reasonable pluralism is crucial. Macedo, for example, states that "the permanent fact of pluralism is the heart of the liberal political problem" (1990, 256; Larmore 1987, 50). According to these liberals, this is why the state should refrain from the promotion of such controversial conceptions of the good. The underlying conviction behind this is that legitimate governmental constraints have to be justified to all people who find themselves under such constraints (Dworkin 1978, 127; Larmore 1987, 59).[4] What might a perfectionist reply to this?

III. The Dilemma of Perfectionism

The perfectionist might attempt to show that certain conceptions of the good life are more reasonable than others. He or she might claim that there are in fact disputed conceptions of the good, but that this dispute can in principle be solved by good arguments. Thereby, he or she might aim at contradicting the fact of a *reasonable* pluralism. He or she might concede that there is a *factual* pluralism – people are committed to different conceptions of the good. However, the perfectionist denies that the different conceptions of the good are equally reasonable. Some conceptions are better than others, or, in other words: we have reasons to subscribe to these conceptions of the good rather than others. Let us suppose for the sake of argument that the perfectionist succeeds. He or

she might indeed successfully argue that some conceptions of the good are less reasonable than others.

By questioning the fact of pluralism, he or she questions the truth of the core argument for state neutrality. However, if this criticism indeed succeeds, there would no longer be a dissent between perfectionists and liberals. Therefore the perfectionist is faced with the first horn of a dilemma:

> i. If the perfectionist denies the fact of reasonable pluralism, then criticism of the principle of neutrality would come to nothing since the fact of pluralism is the core of the liberal position.

Admittedly, one need not construe this as a horn of a dilemma, since one could simply describe it as a convergence of political liberalism and perfectionism. In a sense, the lack of disagreement is neither bad for the liberal nor bad for the perfectionist. However, it should be puzzling at least for those who think that there must be a point to the debate between political liberalism and perfectionism. If we cannot avoid the second horn of the dilemma, the first horn reveals that there is no such fundamental disagreement.

The second horn of the dilemma emerges if the perfectionist concedes that certain conceptions about the good cannot be justified to every reasonable individual. Here, the fact of pluralism would not be challenged and therefore the first horn of the dilemma can be avoided. However, if the fact of pluralism is not challenged, it remains unclear how the perfectionist proposal itself can be reasonably justified. Thus, he or she is faced with the second horn of the dilemma:

> ii. If the perfectionist accepts the fact of reasonable pluralism, he or she lacks a justification for promoting what he or she holds to be the better conception of the good.

Sher, for instance, claims that the state (e.g. educational institutions) should endorse the ability to recognise certain aesthetic values and should counteract an intellectually impoverished culture. The reasoning behind this seems to be that being able to aesthetically appreciate certain things is a condition for being able to interact well with other people. Thus a lack of this ability diminishes our ability to attain a whole range of our fundamental goals (Sher 1997, 213ff.). I must confess that I have doubts concerning this justification of the promotion of certain aesthetic values.[5] All the same, no matter how plausible the perfectionist thoughts about the good life might be, whoever criticises the principle of neutrality will always be caught in the aforementioned dilemma. Let us assume that Sher succeeded in convincing us that his position is correct: "Yes," we all would (have to) say, "how well our life goes really does depend on whether or not we reach our fundamental goals. In order to do so we need to develop a certain kind of aesthetic sensitivity." If this is the case, the perfectionist is faced with the first horn of the dilemma. In fact,

the perfectionist would fail to challenge the liberal position since in this case the liberal would no longer hold the fact of pluralism to be true. The opposition to liberalism that perfectionists rely on would suddenly only be a putative one.

How weak the opposition actually is becomes apparent when we take a closer look at Sher's position. Sher regards himself a perfectionist. But what is Sher arguing for? What exactly is his opposition to the principle of neutrality? Also, he demands justification for state action; the following statement emphasises this: "Do not support any law or policy on the basis of any conception of the good that you have not scrutinized and found to satisfy your usual standards of justification" (1997, 131). It is Sher who commits himself to this demand; he does not apply it – as one might presuppose – to the proponents of state neutrality. Yet, Sher's demand is quite similar to Rawls' position. In this respect, Sher's argumentation shows that liberals and perfectionists have more in common than is often claimed. Liberals as well as perfectionists (at least one like Sher) demand justification for specific forms of state action. Rawls, however, claims that the usual standards of justification cannot challenge the fact of pluralism, which means that reasonable pluralism persists.[6] Rawls emphasises that this is why reasonable people maintain that it is indeed unreasonable to exploit their political power in order to suppress conceptions of the good which differ from their own. Such behaviour cannot not be justified to the people that might be affected by it (Rawls 1996, 60ff.).

Now, the perfectionist might also accept that this justification does not succeed. He or she would claim that some people just do not want what would be good for them and that is why one cannot show them that they are wrong. At least one cannot do this if one pursues a form of subjectivism that links what is good for a person to his or her attitudes. Therefore, one should act according to a perfectionist (rather than subjectivist) conception of the good life. However, whatever this perfectionist conception may be, the reasoning behind it must also be comprehensible to every reasonable person. It must be justifiable that the alternative will make the person's life better, independent of his or her experience and desires. How is that possible? For instance, we can imagine someone who does not do any of the meaningful things a perfectionist would recommend doing, but instead spends most of his or her life on the beach sunbathing (assuming that he or she achieved financial stability through gambling).[7] How could it be justified from the perfectionist perspective to convince such people (by constraint or public incentive methods) to do more sensible things? This justification must be understandable for every reasonable person, including our layabouts on the beach. It must be justified to them that it is better for them to pursue a putatively more meaningful life.[8]

I doubt that this can be done. But if it could be done there is no dissent with the liberal position. If the perfectionist claims that it is reasonable to make contested conceptions of the good life the foundation of state action, the justifiability for this very same course of action would be missing. Alternatively, state action is justifiable to everyone, in which case the liberal no longer holds the fact of pluralism to be true. Ultimately, the perfectionist criticism is caught in a dilemma. It either coincides with the liberal position or fails to support a perfectionist policy on the basis of a justified conception of the good.

IV. Escaping the Dilemma?

Can a perfectionist accept the fact of pluralism and still escape the dilemma? Stephen Wall thinks that it is possible to formulate a perfectionist position without denying value pluralism (Wall 2010). Wall himself allows for a plurality of equally (or incommensurably) valuable ideals of the good life, but he tries nevertheless to defend a perfectionist position. This position incorporates the following "restricted neutrality principle":

> If two or more ideals of a good human life are eligible for those who live in a particular political society, and if these ideals have adherents in that political society, and if these ideals cannot be ranked by reason as better or worse than one another, then the state, to the extent that it aims to promote the good in this political society, should be neutral between these ideals in its support of them (2010, 238).

The aim of Wall's paper is to emphasise that this principle of state neutrality is compatible with a perfectionist approach to politics. Hence, perfectionists are allowed to vote for state neutrality – in the event of ideals that cannot be ranked by reason as better or worse than the other.

Wall is a perfectionist. At which point does he depart from the liberal principle of state neutrality? In order to emphasise the contrast, Wall explicates the liberal principle of state neutrality (in contrast to his perfectionist one) as follows: "It is impermissible for the state to intend to favor or promote any permissible ideal of a good human life over any other permissible ideal of a good human life, or to give greater assistance to those who pursue it" (2010, 239). The difference with Wall's own proposal is that it indeed allows the state to favour some permissible ideals of the human good over others: the ones that can be reasonably ranked as better than the other. In contrast, Wall portrays the liberal as someone who requires state officials to refrain from an adherence to any conception of the good.

However, is this really the position of the liberal? At this point, it seems that perfectionism gains its putative strength by portraying the proponents of the principle of neutrality as one-sided. Rawls, for example, avoids sticking to one particular conception of the good about which reasonable people might argue. If, however, Rawls emphasised that state action should not rely on *any* conception of the good life, his theory would lose all its strength.[9] One would not be able to decide on which criterion to judge the improvement of life conditions: financial wealth or the highly appreciated good of self-respect? It is correct that Rawls tries to avoid a perfectionist conception of the good life – a conception of which there is no reasonable agreement. The liberal does not hold that the state may not favour a worthwhile ideal over a worthless one, if it has reason on its side. Rawls would probably be very sceptical about the idea that it *does* have reason on its side if there is a real dispute over different conceptions of the good within a society. This scepticism is formulated in the thesis of value pluralism. The liberal emphasises that the majority should not decide whether or not something is unworthy. We need to be

extremely cautious on these matters. According to the liberal, many forms of disagreement between different ideals of the good life cannot be resolved by referring to reason. Therefore, state action that promotes one of them would be an unjustified form of coercion.

The perfectionist thinks that the state should be allowed to promote the good even if there is no agreement about it. In order to escape the above stated dilemma, he or she might claim that a *factual* pluralism is the core of the liberal position. According to this reconstruction of the liberal position, an argument concerning ideals of the good might never be decided by state action, no matter how reasonable it is. This would indeed be a possible way to escape the dilemma. It would be a way for arguing in favour of the promotion of a reasonable conception of the good against political liberals who state that it is generally forbidden to act according to a conception of the good. However, this does not seem to be the position of the liberal. Liberals do not simply refer to the fact that different people have different conceptions of the good.[10] The underlying conviction behind their position is that legitimate governmental constraints have to be justified to all people who find themselves under such constraints. This justification cannot be provided if there is a reasonable pluralism.[11] At one point in his paper, Wall himself characterizes the liberal position in similar terms. He states that the idea behind the liberal argument is "that political justification […] should not rest on claims that are subject to reasonable disagreement" (2010, 241). However, if Wall thinks that *this* is the liberal position, how can he still be convinced that there is room for his own and allegedly different position, which is perfectionism?

Perfectionists and liberals alike might ask how reasonable a certain conception of the good is – for example, a conception based on the value of autonomy or on certain aesthetic values. This would be a very interesting debate on questions of the good life. It might turn out that the liberal withdraws from insisting on a reasonable pluralism concerning a certain value, such as the value of autonomy. Let us suppose that the liberal indeed concedes that it is unreasonable to deny the value of autonomy or to deny its proper place within a conception of the good. In that event that the liberal might *de facto* move in a perfectionist direction, for example by arguing for the promotion of autonomy in the educational system. So there is still room for a worthwhile discussion, but it should be a discussion on concrete questions of the good life rather than on the general and merely alleged differences between political liberalism and a reasonable perfectionism.

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NOTES

1. See, for example, Hurka (1993) and Sher (1997). Both have perfectionist conceptions of the good life and both reject the principle of neutrality.

2. For an interpretation of the term 'reasonable' in this context, together with a gentle critique concerning the rationalistic implications of this notion in Rawls work, see Nussbaum (2011).

3. What Rawls has in mind here are the *basic* state institutions in particular.

4. Gaus emphasises that the principle of neutrality can be grounded on the moral restraint of coercing people to do something that cannot be justified to them (2003, 146).

5. For a liberal criticism concerning the state funding the arts, see Brighouse (1995).

6. "[M]any of our most important judgements are made under conditions where it is not to be expected that conscientious persons with full powers of reason, even after free discussion, will all arrive at the same conclusion" (Rawls 1996, 58).

7. Sher claims, for example, that the development of an anti-cancer drug or being a good father gives life "meaning and worth" (1997, 177). Spending one's life lazing on the beach is a lifestyle perfectionists ordinarily find very wrong.

8. There is a difference between what reasonable people might agree is good for people and what we can actually convince people is good for them. If state action had to be based on the latter this would be a very high and probably impossible justificatory standard. For this reason, political liberals do not hold that state action generally has to be based on the latter. So this does not mark the difference between liberalism and perfectionism.

9. Rawls explicitly states that he interprets the principle of neutrality differently: "One I don't take up is William Galston's view that some forms of liberalism are neutral in the sense that they use no ideas of the good at all except ones that are purely instrumental (neutral means, as it were)" (1996, 191 n. 22). Galston argues that we should consider the "brute fact of difference" – regardless of how reasonable these different conceptions of the good are (Galston 1995, 519).

10. Wall himself states that liberals speak of reasonable pluralism as opposed to pluralism as such (2010, 240 n. 18). Thereby it seems that according to Wall the adjective 'reasonable' does not denote reasonable belief in the epistemic sense. However, other interpreters do think that Rawls defines 'reasonable comprehensive doctrines' epistemically. See, for example, Nussbaum (2011, 24).

11. To be sure, the mere fact of pluralism is also relevant with regard to state neutrality as a means to securing social peace. Rawls himself also thinks that we need "an agreement that might serve the political purpose, say, of achieving peace and concord in a society characterized by religious and philosophical differences" (1996, 63). However, perfectionists also consider this instrumental reason for neutrality. See, for example, Wall: "For any particular society at any particular time, there may be various pragmatic reasons that speak against undertaking perfectionist political action" (2010, 233 n. 3). Again, there seems to be no deep theoretical conflict between liberals and perfectionists in this regard.

Human Nature, Liberty and Equality: Sher's Perfectionism as Anthropology

Christoph Henning – University of St. Gallen, Switzerland

I. Introduction

Unlike alternative perfectionist theories that adapt to the neutralist scheme and offer a hybrid neutralist perfectionism (Dworkin 2000, 237ff.; Jentsch 2009), George Sher's book from 1997 reaches out 'beyond neutrality': since the human good is a matter of more than subjective taste it is legitimate to bring about some of these goods politically. In my radicalised re-reading, Sher's theory becomes an even *more* objective approach with an egalitarian edge.[1] This is achieved simply by re-reading the book backwards. Whereas Sher starts from the abstract issue of epistemology (chapter 6), then criticizes competing theories (chapters 7 and 8) and ends with the material theory (chapter 9), I will reverse the order from the abstract to the concrete (putting it 'from its head to its feet'), thus correcting the subjectivism that creeps into two decisive arguments for a more consistent naturalism all the way down. Hence, I start with the axiological question: What *are* the "human goods", and what *makes* them so? After dealing with the questions of relevance and epistemology (How can we *know* about these goods? And why should this approach be preferred to competing theories?), I will spell out the implications of my re-reading for liberty and equality.

II. What is Good, and Why? Sher's Foundationalism

For perfectionists, that which is good for people depends not only on their feelings, desires or informed desires, but also on some deeper values. Current literature, therefore, calls perfectionism an 'objective' theory.[2] Sher shares this anti-subjectivist tendency when it comes to *values*: perfectionism, he says, must argue against the selective scepticism that is inherent in subjectivist theories of value, which treat the "actual or ideal desires, choices, or enjoyments" (8[3]) of individuals as the "source of value" (164). Accordingly we do not desire x because it is valuable, but it is valuable because we desire it.[4] Sher assumes that if these theories were true, the 'neutralist' position would be much stronger than it actually is. If values were valid for individuals only and not for political communities, states would have fewer reasons to act for (the) good. Unlike Sher, I think the first question to ask is *what* is good, and why (Kraut 2007). An easy way to achieve an agreement here is to ask what is *not* good. Sher mentions "servility, self-abasement, and coarse and indelicate activities and sensibilities" (184) or "lives of ignorance, idleness, and depravity" (179). Even if not everybody will agree that "an endless diet of punk rock or sitcoms" or "images of casual sex and routine violence" (213) are part of a "boorish" (184) or "coarse, vulgar public culture" (212), most will agree that "sleeping in alleyways and trading oral sex with strangers for intervals of drug-induced euphoria are simply not good ways for humans to live" (179).

Putting it positively is more complicated because such judgements often remain formal. When Sher writes that "some ways of being really are better than others" (ix) or "some traits, activities, and ways of relating to people really are superior to others" (3), we learn that "good" does not apply to things, but to "traits and activities" (2, 198); yet we want to know *which* of these are in his "very traditional list of the elements of a good life" (8). Sher mentions "values of virtue, excellence, and reason" (7), "decency and good taste" (212), "lives of autonomy, accomplishment, virtue, and knowledge" (179), or "a sustained commitment to any serious project, from seeking a cure for cancer to being a good parent" (177, 184). Though there seem to be endless amounts of goods, Sher believes we may integratively "list the constituents of a good life" (200). The list is taken from Parfit (1984, 499) and consists of "moral goodness, rational activity, the development of one's abilities, having children and being a good parent, knowledge, and the awareness of true beauty" (201).[5]

This leaves us with the question *why* these things are good. For Sher, they are good due to their "inherent" value (9). Unlike intrinsic values, inherent values are not good in themselves, but *good for* (in relation to) us. So they have a source in their contribution to our "fundamental goals" (204, 208, 216). But how do these goals transfer value? Their good-making property is their link to our "fundamental capacities" (209). This gives us a recursive chain from good activities to inherent value, from inherent value to fundamental goals, and from these to fundamental human capacities. We cannot ask any further, because this is just "our constitution" (239).[6]

Now, it is not self-evident how exactly we derive "the good life for humans" from "the realization of their fundamental capacities" (9). How does this work in detail? Sher

offers a criterion for fundamentality: "a fundamental capacity will be one whose exercise is both near-universal and near-inescapable" (202). He sees only three such capacities: A "native capacity to understand the world" (203), another for "practical activity", and a third to "form and sustain social bonds" (205).[7] They lead to three of the Parfitian goals of knowledge, rational activity (including other "autonomy-related goods" [205]), and "being a good parent" (which, if "generalized" [205] gives us all kinds of valuable relations).[8] But what about the remaining three items on the list? We "all have the capacity to pursue each" (207), but they are not *fundamental* in Sher's sense because we can avoid them. However, the goals are fundamental enough because they *help* to realize the three fundamental capacities we have. Developing an ability "would greatly increase our chances of achieving fundamental goals", so derivatively it becomes one itself (208). Likewise, in order to achieve the fundamental goals of rational activity, we have to be "receptive" to the right reasons, which often happen to be moral (209) and, albeit to a lesser degree, aesthetic ones (204f.; 211). Hence, an "awareness of true beauty" and "moral goodness" as character traits help us to see the right reasons in order to act rightly.

III. Epistemology: Against Subjectivism

This approach is not objective in the sense of Plato or Max Scheler, who claimed that intrinsic values are a reality to be discovered. The objectivity lies rather in the nature of the *subjects*. They have to do certain things, thus the goals of these actions (and traits or relations) are objectively valuable.[9] Human nature guarantees that we are not only talking about momentary desires or cultural particularities. But even if an objective theory of the good might work in theory, one might ask why anyone should *prefer* it to competing models. To show this, Sher must argue against subjectivist theories of value. Indeed, Sher holds that subjectivism "rests on a series of metaphors" (197) and does not "explain how value motivates, what makes value claims true, and how value is created" (176): "no adequate story has been forthcoming" (198). Astonishingly, however, the section on epistemology (140ff.) concludes with a subjectivist conception. How does this happen?

According to the hegemonic (albeit quite young, Sandel 1996, 274ff.) liberal narrative, the political collective cannot 'know' about the good in a general way, since no rational consent about cultural 'beliefs' can be expected. Following Rawls' 'reasonable pluralism', conceptions of the good are presumably shared on a local basis, applying only to individuals or smaller groups. They seem to emerge subjectively – from individual or collective subjects.[10] This epistemic link between subjectivism and neutrality can already be found in Locke and Kant. Within this political epistemology, Sher detects three different arguments. The reason to reject truth claims of value statements can be based on (i) "a scepticism about *all* beliefs", (ii) "a scepticism about all *normative* beliefs", or (iii) a scepticism only about "particular *conceptions of the good*" (142f.). Sher points out that none of these claims can justify liberal neutrality. The first two claims simply make "no distinction between the good and the right" (149), so there is not much to gain from them for the liberal. Only the third claim deserves closer attention. The epistemological prin-

ciple behind it, Sher says, is coherentism, for claims about the right are legitimized with reference to a presumed "reflective equilibrium" (145). But "coherentism sets no principled limits" (150) between questions of right and good – both types of belief may pass the test or not. If we can know something about the right, we should also be able to learn something about the good, and vice versa: if we did *not* know anything about the good it would be unlikely that we could know anything about the right either (144; 17).

From a common sense-perspective Sher is certainly right: nobody would make an epistemological difference between his or her claims about the good and the right, given that both of them are coherent with all other beliefs a person holds. Against the "selective scepticism" (143) of liberal philosophy, this shows nicely that knowledge about the good is *on a par* with knowledge about the right. Empirical claims about the right are often no less contested than those about the good (144). Moreover, there often *is* some consent about questions of the good.[11]

However, for Sher's theory of value this solution poses a new problem: *both* claims are now interpreted as coherentist. The only criterion needed for a belief to pass the test is coherence with the other beliefs a subject has. And as coherentism depends upon "what the subject believes" (145; 151), knowledge about the good remains subjectivist. Does this not testify *Against Perfectionism*? Sher's preferred epistemology is subjectivist, and likewise he holds against communitarian claims that the individual's "actual desires or choices" (236) remain the source of value. If we only admit subjectivist and communitarian theories this seems unavoidable. But it cannot be what Sher wants. Therefore, I suggest a third candidate: *human nature*. It is already present in Sher's book. However, it only shows up in later sections (201ff.), so it has no power in earlier parts. Reading the book backwards allows us to re-import it to where it matters most: it answers the value-theoretical as well as the epistemological concern.

Sher has shown that knowledge about the right is not privileged over knowledge about the good. Yet the question as to whether we *do* know anything about the good in a generalizable way remains open. Sher assumes that in listing central human goods he already answered the epistemological question: "By actually doing what I have said can be done, I shall try to back up my claim that that conceptions of the good pose no special epistemological problems" (153). But this is only half-true: Knowing something may answer the question *whether* we can know it; it does not yet answer the question *how* we can know it. Following Kant, this is the relevant epistemological question. The said knowledge might still be mere opinion, so a stronger epistemological backbone is called for. This, however, is missing. When Sher develops his "near-universal, near-unavoidable goals" (229), knowledge about them is taken for granted. This is possible only within coherentism. But that is hardly recommendable, because it tempts Sher into an *anything goes*: "From a coherentist perspective, we are never running out of things to say" (131) – "coherentism implies that anyone who seeks to justify a given belief has virtually unlimited resources on which to draw [… he can appeal to its deductive, explanatory, probabilistic, or analogical relations to any of his other beliefs" (130; 201). The pressing epistemic question how a knowledge-claim may be substantiated unanswered.

Moreover, it is not even an adequate description of what Sher himself does. Unlike Rortyan postmodernists, Sher has explanatory ambitions. For example, in asking *why* something is good Sher not only re-arranges existing beliefs (the fabric of reflective equilibrium). He also refers to things that *transcend* beliefs: "empirical claims" (240), "hard data" (184), "facts about the world" and "about human psychology and human nature" (201). This leaves coherentism behind. First, once we know something is a fact, it is no longer a mere belief. Rather we have to adapt our (former) beliefs to the new fact.[12] Secondly, in Sher's own theory, these facts are not just some beliefs amongst others. Instead, said human capacities are "fundamental" (202; 207). Coherentism has no room for such foundations (see 145, note 16). So Sher *is* no coherentist himself: his 'belief' that he follows a coherentist model is inconsistent with what he does in fact, and its implied subjectivism is inconsistent with his aim of an objective theory of the good. Neither does he *have* to be one: as soon as he invokes "facts" he is no longer engaged in pure ethics, but in an "empirical" business (241). Even Quine, Sher's witness for coherentism in ethics, transcended coherentism when it came to science.[13]

What, then, *is* Sher doing? He is describing our human nature and its goals (*teloi*). Bringing to light the facts (or facticities, Heidegger) of human life has been the programme of normative theories about human nature since Aristotle. So Sher is following a "well-worn path" (202). But astonishingly Sher claims not to: his reservations about Aristotle and neo-Aristotelians like Martha Nussbaum (225) are outspoken. Sher is anxious to avoid "Aristotle's metaphysical essentialism" (19; 239f.) and rejects "metaphysical biology" (226; citing MacIntyre 1984, 163). Here I beg to differ: Aristotelian theories of human nature are not necessarily metaphysical. The manner in which human potentialities develop depends upon cultural circumstances and individual choice. There is a plasticity of the potentiality and a plurality of ways to develop. Yet there remains an important difference to subjectivist approaches, which rely on choice only, and to communitarian approaches, which rely on culture only: there *is* something to be actualized, namely the very potentiality Aristotle and Nussbaum talk about. It is not a 'given', but neither is it nothing: it is a limited range of possibilities that may or may not become actual, depending on choice and circumstances. Wise choices and enabling circumstances are so important because we *want* these potentialities to develop in a good way. And there are empirical ways to investigate the value of choices and circumstances.

What are the implications for the theory of value? Sher's perfectionism is an objective theory because it assumes a human nature and "species-specific goals" (198; 155). To explain value in terms of human nature amounts to saying that it is valuable to *realize* human capabilities. Realizing is not creating; it is a process of setting free a potential. Such a potential is not a fully developed entity that only needs to be 'discovered'. Nevertheless, in order to make a career, say, as a solo pianist, one has to have the "native talent" (208) for it; it cannot simply be "invented".[14] The fact that the community does not 'create' values does not mean that the individual does. Neither is there a need to give in to the subjectivist epistemology of coherentism: claims about human nature are empirical. This gives us criteria to judge what is good for us in order to make our knowledge more objective.

To plead for a natural fallacy here would be mistaken: it would impute a dualistic worldview of naked things here, and unworldly moral values there. Only then would 'jumping' from one world to the other be a mistake. However, empirical theories may *observe* what is good for natural beings; and since human beings are natural, this is true for them, too. Nevertheless, as Aristotelians like Marx or Nussbaum were well aware, we do not have direct access to human nature. Since it exists only as potentiality, theories about it have to confine themselves to an analysis of cultures in which human potentials are actualized in different ways. In order to compare cultures and practices we need social theory.[15] By now we have empirically-based theories available which investigate human flourishing. Between Aristotle and modern social sciences there is no break, but rather a continuum,[16] so there is no good reason to reject modern Aristotelianism in ethics.

IV. Politics of Liberty and Equality

What if the reluctance towards human nature is not theoretical, but political? Some authors fear that conceptions of human nature may restrict our range of possibilities (a concern about liberty) or result in legitimizations of inequality (Pinker 2002, 141ff.). Against perfectionist conceptions, however, both fears are unsound. Once we add human nature, Sher's perfectionism becomes even more egalitarian and more liberal. So far we have transferred Sher's thoughts on human nature to earlier sections where they were missing. This changed his epistemology from a (subjectivist) coherentism to an (objective) correspondency theory more receptive to empirical claims, and it enriched his axiology by giving human nature a more prominent role over and against subjectivist theories of value. What does this mean for 'politics' (which figures in the book's title)?

John Rawls rejected perfectionism as unjust. According to the maxi-max principle, most resources would go to the most talented. Alas, there is a hidden precondition to this argument: perfectionism only leads to radically unequal outcomes if we assume that individuals are different by nature. The neutralist story of subjectivism presupposes natural inequality.[17] Do perfectionists have to buy this? I do not think so. In Rousseau, Helvétius, Adam Smith or Left-Ricardians we find the opposite argument – they relied on natural *equality*. If individuals do not greatly differ in their natural abilities, elaborating what is good for people in general does not hurt individuals. On the contrary, it will benefit everybody. In fact, a development of individualistic traits of character depends on material conditions. To use the botanical metaphor (for "human nature is like a tree", as J.S. Mill says): "Its flowers may be delicate, but its trunk must be robust" (Tawney 1931, 83). In arguing that such differences cannot be attributed to nature, it ascribes equal respect to every individual, regardless of his or her peculiarities. This is a precondition for individualization. If someone says: *We are equal because we all are human, therefore we deserve equal conditions*, this does not imply that all persons are the same. Rather, the intention is for all to be able to set free their own selves. There is no need to decide between equality and individuality here: the egalitarian scenario seeks to improve them both.

Concerns about liberty have even more weight in current anti-perfectionism. For the liberal, state action that relies on conceptions of the good becomes despotic: it undermines individuals' autonomy, because what is good for A may turn out to be bad for B, and it benefits some citizens at the cost of others. Indeed, quite recently it was argued that homosexuality is against human nature and should be rejected. The debate that arose between perfectionists in court (Robert George and John Finnis against Martha Nussbaum) could be interpreted as a fatal blow to any attempt to tie down specific conceptions of the good as anchored in human nature – not only because some Aristotelians proved to be illiberal, but also because they could not agree on the issue (Finnis and Nussbaum 1993). Against this, a hasty liberal reflex is to reject claims about human nature altogether. However, a more effective answer is to use the knowledge about human nature we have available. As mentioned above, to attain knowledge about the human good we need to turn to social theory. An empirical look at the impacts of homosexual conduct shows that living up to this disposition makes people much happier then repressing it and living lives of shame and concealment. From a scientific perspective it is a false claim that homosexuality is a cultural habit that is passed on and needs to be 'cured'.[18] Homosexuality cannot be condemned with perfectionist arguments from human nature. If people flourish in homosexual relationships (and many do), there is nothing wrong with them, whereas some people suffer in traditional relationships which they nevertheless uphold due to culturalist ideas of value. There is no need to turn to neutralism in order to defend sexual autonomy (Yuracko 2003).

The role of social research is an important difference between perfectionism and neutralism. No social theory ever aimed to 'prove' liberalism. Liberal authors like Hayek or Rawls primarily argue normatively, with little reference to social theory (except highly idealized images of the market). This makes sense: only those who have an interest in *regulating* society need a *theory* of society, so liberalism can do without it. This also explains why perfectionism is such a complicated business; to work properly it needs a sound foundation in social theory.[19] The strong link to social science transforms the concern about liberty as follows: how does the generality of social science relate to individualism? Can the fear for our liberty that damages human nature's reputation also be turned against the social sciences?[20]

This question may be answered with regard to form or content. Social theory asks questions of the following form: what is a self, and what are good conditions for its development? But the question 'what is a self?' is categorically different from the question 'who are you?', so the generality of those questions is no threat to individual liberty. With respect to *content* the answer is threefold. The fear that basing our knowledge about the good on theories of human nature may restrict individual liberty is unfounded first, because there are various ways, both culturally and individually, to realize these potentialities; second, because no knowledge about old ways of life allows to preclude new "experiments in living", and third, because the best a political body, informed by knowledge about the good, can do is to "create institutions or social forms that make the favoured way of life possible or enable it to flourish" (Sher 1997, 61). Realizing these goods is left

to individuals; there is no need to enforce them politically. Liberty and social sciences do not exclude one another.

Even if perfectionist politics do indeed impair neither liberty nor equality, this does not show why they are *attractive*. Social theories look impersonal, so another concern is that perfectionist politics might only benefit the collective. If such politics did not help individuals, it would not attract anyone, even if it did no harm.[21]Sher does not deal with these questions at length because he avoids the contested vocabulary of human nature as much as he can.[22] However, in defining near-universal, near-unavoidable goals, even "a poor man's Aristotelianism" (241) makes assumptions about human nature. How can he both remain faithful to liberal individualism and defend his objective claims against this individualist critique? Sher's "depth requirement", which says that "the relevant goal must stand in some appropriate relation *to the person himself*" (234), does not carry very far: it is already satisfied with species membership. The relevant goal must be "a goal that virtually no one can avoid pursuing – then questions about whether any or all of those persons ought to pursue it, or whether it is worthy of their pursuit, *simply do not arise*" (238). This does not tell us how far the fundamental goals can be endorsed individually (not simply by virtue of being an exemplar).*[23]* So the problem remains: if we care for individualism as a form of life (as opposed to atomism as a social theory and a subjectivism of value), how can we exclude human nature-talk eventually overriding individualism?

This concern may be countered in two ways. First, a general potential can be developed in several directions. The relationship between human nature and its individual realization is not such that everybody is the same in the end. Earlier discourses on individuality, from Erasmus to Simmel, discussed issues of *style,* so realizing their nature means something else for everybody. For a Renaissance individualist, juxtaposing individuality and generality would have been premature thinking, for individuality is developed and expressed not by fleeing generality, but by mastering it. Think of two solo pianists who share the same teacher. Both of them will only manage to develop their own style by mastering the school, not by rejecting it. Even where the talent is similar, its development may differ. Secondly, traditional theories did not only assume a general human nature. Some held that part of it is itself individual. General human nature is accompanied by individual assets; otherwise 'self-realization' would be meaningless. Charles Taylor traced this "expressivist" idea back to Herder, but we may also find it in Stoicism or in contemporary psychology.[24]Either way, once we take the perfectionist tradition more seriously it turns out to be a misunderstanding to juxtapose human nature and individuality.

To conclude: I have argued that Sher's objectivity depends on a theory of human nature, otherwise the characteristics picked would not be near-unavoidable. It also depends on natural equality, for otherwise the goals would not be near-universal. This has distributional implications: natural equality is a strong argument in favour of social equality.[25] Once perfectionism includes anthropological arguments, individuals also gain a resource to oppose societal pressures: encouraging individuals to transcend particular communities and dominant notions of the self gives them a stronger hold than theories that only allow for communities or subjective tastes as sources of value.[26] Sher is right

in stressing the individualist element in perfectionism, but he is wrong in belittling his own normative naturalism in questions of epistemology and value. It is more consistent and more effective to go all the way and base a liberal perfectionism on a sound theory of human nature.

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NOTES

1. Like Yuracko (2003, 34ff.), I think Sher remains too vague in political issues – it is a "loose end" (1997, 243).

2. Parfit (1984, 493ff.) or Sumner (1996, 60ff.).

3. All page references to 1997 Sher's 1997 *Beyond Neutrality*.

4. This utilitarian position is also shared by Nietzsche, Sartre and Habermas.

5. Does this list capture all mentioned goods? "Civic participation" (11), for example, is missing; probably because it is avoidable and not endorsed by everybody.

6. "If I have exhausted the justifications, I have reached bedrock and my spade is turned" (Wittgenstein 1953, §217).

7. This does not rely on basic needs. Just "as we cannot avoid trying to understand the world, we also cannot avoid thinking about how to act in and upon it" (204), and "we appear to be essentially social creatures" (206). This resonates with traditional theories of the three faculties of thinking, willing, and feeling.

8. Civic participation (see note 5) could figure under the latter two.

9. This resembles the "generic principle" in Gewirth (1978). See Sher's "generic aim" (205).

10. Intersubjective values are values of a group and not universal.

11. For example, in the aforementioned condemnation of "indecent" behaviour in public (1997, 112; 155).

12. Beliefs about what I can do with my money have to adapt to the *facts* on my bank account, as beliefs about my relation to somebody have to adapt to this person's factual feelings, etc.

13. "Science, thanks to its links with observation, retains some title to a correspondence theory of truth; but a coherence theory is evidently the lot of ethics" (Quine 1979, 475).

14. In self-realization we must first acknowledge what our potentials are and then unfold these potentials. That can be "strenuous" (208). But once talent and form of life meet, this can set free a lasting happiness.

15. The point of Nussbaum's approach was to allow for such well-being comparisons between nations.

16. Remember that the late medial rediscovery of Aristotle contributed to the unleashing of modern science.

17. Luck-egalitarians also rely on natural inequality when they call for a redistribution of natural rather than social (presumably 'deserved') inequalities.

18. The biological metaphors undermine the allegation that homosexuality is "against nature". See Sher's moderate defence of homosexuality (216f.); on Finnis' idea of "self-evidence" (201).

19. Writers like Ferguson, Condorcet, Godwin, Mill, Marx, or Dewey embedded their perfectionism in social theory.

20. Mead (1986, 46ff.), for example, blamed sociology for promoting a 'permissive' and degrading culture. His own approach is an example for questionable 'liberal' philosophies that have no need for social theory.

21. Max Stirner's similar criticism prompted Karl Marx to overwork his theory.

22. Maybe that is why Sher wants only the "smallest … departure" from subjectivism (239).

23. George Simmel distinguishes between quantitative and 'qualitative individualism'.

24. Seneca *De officiis* (I, 107f.). The idea migrated further, to Karen Horney and Carl Rogers.

25. Tawney (1931, 55f.); Henning (2009). Thompson (2007) describes how this idea was dropped contingently.

26. Thus Marks (2005, 118ff.) argues against Charles Taylor; cf. Whitebook (2001).

Perfectionists, Egalitarians and Old Fogeys: Sher and Equality

Christine Sypnowich – Queen's University, Kingston, Canada

I. Introduction

Is perfectionism an egalitarian creed, committed to improving the flourishing of all? Or is perfectionism an elitist doctrine of excellence, at odds with ameliorating disadvantage? How perfectionism, the view that society should promote good and valuable ways of living, is connected with the idea of equality, is an interesting question. On the one hand, the socialist tradition has long conceived its critique of capitalism and its radical alternative in terms of not just eliminating economic disparities, but also improving human well-being. On the other hand, an exclusive strain runs through perfectionism, insofar as the idea of promoting the good has often been understood to imply ignoring or sacrificing those who are poorly placed, whether by circumstance or choice, to endorse or achieve a life of excellence. This paper explores the problem of perfectionism and egalitarianism by looking at a prominent account of the perfectionist doctrine advanced by George Sher. I will argue that Sher's perfectionism indicates a salutary humanism that, if not endorsing egalitarianism, certainly prepares the ground for such an endorsement.

II. Perfectionism and Socialism

The concept of egalitarian perfectionism might seem peculiar to contemporary ears. This is because egalitarians today tend to be anti-perfectionist. John Rawls' *Theory of Justice* ushered in an era of neutralist egalitarianism in which treating people as equals is understood to mean that the state should not favour some plans of life over others, that questions about the good life should be relegated to the domain of private conscience (1972). Ronald Dworkin's egalitarianism shares this commitment to neutralism. For Dworkin, using public policy to promote lives of value would involve the state being at the mercy of the 'external preferences' of intolerant bigots or snooty aesthetes who would coerce others to live by, or sacrifice themselves for, their creed (2000).

It is worth noting, however, that the entire nineteenth century egalitarian tradition had perfectionist assumptions (this discussion draws on Sypnowich 2000). A significant

example is the socialist aesthete William Morris, whose conception of living well shaped his commitment to equality.[1] For him, there was no tension between perfectionism and egalitarianism. Much influenced by John Ruskin and the art of the Middle Ages, Morris looked to traditional manufacturing for an aesthetic beautiful in form, useful in practice, and fulfilling in its creation (1966e, 21; 1966a, 84). Morris came to believe that his aesthetic ideals were in tension with the imperatives of the capitalist economic system. Traditional crafts, the preservation of green spaces, respect for historical architecture, etc., were at risk if wealth was in the hands of the few. For Morris, the revitalization of the arts required society to interfere with "the privilege of private persons to destroy the beauty of the earth for their private advantage" (1966f, 256). Morris is often said to have anticipated the philosophy of Britain's National Trust, which found its aesthetic aims bound up with egalitarian policy: care of England's historic buildings required public stewardship, and public stewardship entailed the principle of public access to their beauty.

Morris perceived the connection between perfectionism and egalitarianism early on, but at first he construed equality merely as a means to perfection. Public ownership increases the likelihood of preservation, a point of view that could be endorsed by an aesthete uninterested in equality. However, as Morris's ideas evolved, he came to see the constitutive link between egalitarianism and perfectionism. "A very inequitably divided material prosperity" meant that people "work as laboriously as ever they did", but have "lost the solace that labour once provided", that is, "the opportunity of expressing their own thoughts to their fellows by means of that very labour" (1966b, 193). Thus Morris's aestheticism, "an act of rebellion against an ugly age" (Stansky 1983, 17), became a political struggle for equality centred on the idea of well-being.

It is clear in this account that well-being is to be understood objectively, independent of people's subjective views. In embracing the hope for "a new and higher life for all men" (1966c, 123), Morris supposed that one could pronounce on the kinds of lives people ought to live. He also assumed that the good life would not be self-evident to most people. Workers would not necessarily perceive the fact of their oppression or its effects. Inequality had so degraded human beings that their choices were bound to be bad; reduced to a "skinny and pitiful existence" the worker "scarcely knows how to frame a desire for any life much better than that which he now endures perforce" (1966d, 281).[2] Morris here identifies the problem of what is now called 'adaptive preferences', where disadvantaged persons, fatalistic about their lot, take the best they can find as the best that can be conceived (Cohen 1995, 254-255).

The belief in the profound connection between equality and perfection is of course central to the ideas of Marx, who so influenced Morris. Marx's critique of inequality is also a critique of alienation and alienation is an inherently perfectionist concept. It refers not just to the unfairness of economic hardship, but to the distortion in values such hardship imposes, making implicit appeal to the idea of the proper form life should take. Economic inequality is wrong because it degrades human beings, robs them of dignity, self-determination, the ability to develop their capacities. The term degradation is

illuminating, at once embodying both egalitarian and perfectionist elements. Thus it may be said, with a pleasing irony, that in the 1880s Morris anticipated Marx's 1844 *Manuscripts*, not published until long after Morris's death (Marx 1978, 74).

Moreover, in the nineteenth century it was not just socialists who took the view that the community should foster worthwhile ways of living. We are so used to thinking of Mill in terms of a hackneyed harm principle that we overlook the perfectionist aspects of his thought. In *On Liberty* the "cultivation of individuality" emerges as society's ultimate aim: "What more or better can be said of any condition of human affairs, than that it brings human beings themselves nearer to the best thing they can be?" (Mill 1966, 82). The idea that society seeks to enable individuals to live well continued to animate liberalism after Mill. L.T. Hobhouse also considered the idea of a common culture to be vital to twentieth century liberalism when he wrote in 1911:

> […] mutual aid is no less important than mutual forbearance […] in those regions of truth and of ethics which constitute the matters of highest social concern (1964, 67).

Thus when early twentieth-century egalitarians married their ideal of equality to the principle of a public responsibility for the good life, they were helping themselves to a widely accepted view. R.H. Tawney, for example, affirmed Morris's evolution from aesthete to socialist when he argued that egalitarianism followed from perfectionist ideas about the state. For Tawney, a concern for "the perfecting of the individual," should have as its "manifestation an outlook on society which sympathised with the attempt to bring the means of a good life within the reach of all" (1931, 114).

Socialists accordingly conceived their goals in terms of the constituents of flourishing. In the Fabian call for a National Minimum, for example, the distribution of leisure counted as much as the distribution of income, since it would enable individuals to "nurture and express their individuality" (Webb and Hutchins 1909; Jackson 2008). Consider William Beveridge, one of the architects of the British welfare state and his idea of a post-war 'battle' against the 'giants' of injustice; the perfectionist terms of his argument are striking. He refers to the amelioration of squalor and the elimination of idleness, rather than simply increasing income or resources. For Beveridge, the new commitment to the state provision of social welfare involved the aim of elevating human fulfilment, capacities and character (1943).

In sum, egalitarian aims are not necessarily at odds with perfectionism; until Rawls' theory of justice, arguments for equality took for granted the idea that the political community would seek to promote the good. The task of the equal society, for theorists of social justice from Morris, Marx and Mill, to Tawney and the architects of the British welfare state, was to remedy both economic and cultural disadvantage. Remedying disadvantage was not merely a matter of material improvement, but also of enabling the living of valuable and worthwhile lives. Thus egalitarianism is compatible with perfectionism; it remains to consider what egalitarian prospects there are within perfectionism itself.

III. Contemporary Perfectionists and the Problem of Equality

Egalitarianism is compatible with perfectionism, but perfectionism need not be egalitarian. There is, after all, another equally prominent strain of perfectionism that is, if anything, anti-egalitarian. This is the tradition of Nietzsche. The socialist argument notwithstanding, this conception of perfectionism is the one that is perhaps best known and that probably served to ward off contemporary liberals from the idea of the state promoting the good. For if, as Nietzsche believed, perfection should take priority, then the task of the political community is to enable great achievements for the gifted, rather than extending better well-being to the many. As Nietzsche put it, superman should be promoted over the herd. "The herd is a means, no more!" he famously announced (1968, 766).

Where do contemporary perfectionists stand on what might be termed the Nietzsche/Marx divide on the question of perfectionism and equality? Perfectionists today vary in their position on equality. Putting to one side avowed conservatives, perfectionists typically do not argue *against* equality. Joseph Raz stands out as a perfectionist who considers the problem of equality at some length only to reject it. For Raz, egalitarianism can have anti-perfectionist consequences that diminish the good of the less disadvantaged and thereby the overall good of society. This is because strict equality requires that the political community should prefer an equal distribution, in which all have little, over an uneven distribution, in which only a few have little but most have more. Nonetheless, Raz makes it clear that this conceptual point means that we should attend to, not give up on, problems of disadvantage and poverty. Raz contends that his argument points to a prioritarian conception of distributive justice, which targets the badly off rather than aiming for a levelling of distributive shares (1986, chapter 9).

Of all contemporary perfectionists, George Sher might seem the least promising for egalitarians insofar as he does not even consider equality in his argument for the state's role in promoting the good. Sher makes an excellent case for rejecting the neutralism of contemporary liberals in which he considers many of the grounds neutralists adduce for their views, arguing that neutralism need not follow from such grounds. In particular, Sher notes that a perfectionist view can give scope to autonomy and to democratic decision-making. However, it is striking that Sher says little about the relevance of his perfectionist account to the egalitarian principles that motivate many liberal neutralists. After all, liberals such as Rawls and Dworkin argue against perfectionist accounts of the state not just because of the potential for paternalism, but also because they consider promoting the good to be inegalitarian, showing preference for some plans of life, and thus some citizens, over others. Thus they contend that the metric of distributive justice should be all-purpose primary goods or resources, means for the realisation of any plan of life. Dworkin in particular invokes the principle of equal concern and respect for persons as prohibiting the community from taking into account questions about how 'others should live their lives'; perfectionists violate the 'right to moral independence' central to liberalism (1985, 364).

Sher does tackle Dworkin's view that neutrality uniquely treats people as equals, noting that whilst this line of reasoning certainly rules out bigoted preferences, it does

not provide a general defence of neutrality. However, Sher explicitly states he will not discuss Dworkin's conception of equality of resources, given, he claims, its irrelevance to Dworkin's arguments against perfectionism (1997, 94). Thus Sher's case against egalitarian liberals is oddly silent on the questions of distributive justice that undergird their neutralist views. However, Sher does take up questions of ameliorating disadvantage elsewhere. In a 1975 essay, Sher argued that if the point of affirmative action was to "compensate for competitive disadvantages caused by past discrimination," then certain disadvantaged groups, such as black Americans, could claim to suffer from a "poverty syndrome" which qualified them for compensation (1975, 167-168). Sher seems particularly interested in the consequences of discrimination for distributive justice: women, whose disadvantage as a result of sexist stereotypes cannot be described, he argues, as being trapped in a cycle of poverty such as that which besets black Americans, are not appropriate candidates for the benefits of affirmative action. Yet although Sher grants the general plausibility of a defence of affirmative action on grounds of distributive justice, he ultimately remains sceptical of the policy's grounding. The degree of disadvantage and its effect on one's candidacy for good positions is hard to calculate. Moreover, Sher notes that it is one thing to appoint someone to a position because of their demonstrated achievements, quite another to base an appointment on what might have been achieved; we see fit to reward a person "who *actually has* laboured long and hard" to achieve success as opposed to one who "*would* have" under different conditions (1975, 166-167; italics original). In contrast to some radical egalitarians, it would seem that Sher does not permit failures in motivation and enterprise to be excused as the consequence of social injustice.

Interestingly, in another recent essay Sher addresses head-on a prominent theory of egalitarian justice, namely luck egalitarianism and its project of distinguishing between economic hardship that is the result of choice, for which individuals should be responsible, and economic hardship that is the result of luck, for which individuals should be compensated. He argues that it is often the case that "agents seem responsible for the disadvantageous consequences of their acts despite the fact that they failed to anticipate, and thus were not in a position to exercise control over, those disadvantageous consequences." This does not mean that luck egalitarianism should be rejected; as far as Sher is concerned, "if we are going to be egalitarians at all, then a luck egalitarianism is the best kind of egalitarian to be" (2010, 232). Nonetheless, it would appear that as far as Sher is concerned, luck egalitarianism in some ways reveals the weakness of the egalitarian ideal more generally. Sher contends that it is often just for individuals to live with the consequences of their behaviour; equality should not trump other considerations. We might still mitigate "the richly deserved effects of people's folly," but we need not "wheel in the heavy machinery of justice" to do so. Equality is not required; an appeal to charity or humanity will do the job (2010, 232).

My aim here is not to assess the merits of these arguments about distributive justice and desert, but rather to consider their significance for our question of how perfectionism might generate a distinctive egalitarian position. Certainly, the perfectionist influences on Sher's approach to these questions of social justice are apparent. In particular, his emphasis on the project of inculcating virtues of responsibility and self-discipline,

and the idea that individuals should strive to develop themselves, to succeed and advance, can all be attributed to a perfectionist outlook that seeks to improve persons. The remedy of inequality seems to take second place to those perfectionist goals. Desert in particular looms as a major consideration in distributing benefits and burdens. Those whose disadvantage is the result of imprudent or short-sighted choices are not necessarily abandoned to a life of destitution, but it may be outside the purview of justice to attend to their plight. Indeed, Sher's position suggests that the virtues are again crucial, as it is the qualities of beneficence and charity that are called upon to look after our less fortunate fellows, rather than according to them what is theirs by right, as proponents of egalitarian justice will insist. Sher's discussion here leaves us with the persisting sense that egalitarianism and perfectionism are uneasy bedfellows.

IV. Community, Equality and Value

Marx's egalitarianism was bound up with a conception of the commonweal, where members of the community contributed what they could and took what they needed from a common store of resources, thus presupposing a society based on relations of reciprocity and solidarity. Given the strong presence of community in many perfectionist accounts, it may be communitarianism that yields the best prospects for an egalitarian view derived from contemporary perfectionism. Certainly many perfectionists might be thought to be communitarians in a loose sense, concerned with the public good, delineating a common conception of value that improves the lives of a community's members and arguing that we should build communities on the basis of this conception. Thomas Hurka speaks of policies that lead to "richer, more vital societies" and the "general, cultural loss" that comes from some talents not being developed (1993, 168). William Galston speaks of "public morality" and "public" or "liberal" virtues (1991, 289). For his part, Sher decries a "coarse and vulgar public culture" (1997, 212).

The positions of these perfectionists differ, however, on the question of the relation of the public good or culture to the well-being of individuals and their material situations. For some, an egalitarian community is a vehicle for the promotion of excellence. This has been the view of some aesthetes who look to the modern welfare state to preserve historic artefacts – something like this view underlay, after all, Morris's early interest in socialism. Hurka, for example, suggests that egalitarian policy is of interest insofar as it serves the more fundamental goals of perfectionism; perfectionism has a "strong but defeasible tendency to favour material equality" (1993, 189).

Galston in particular seems firmly planted in the instrumentalist camp; the perfection in which he is interested is that of the community; the good of individuals is a means to that goal. His concern is for the kinds of virtues needed to sustain a liberal society: society must inculcate virtues of loyalty and tolerance in order for the liberal state to be stable and secure. Galston's view is that a conception of equality "is needed to move from the individual good to public institutions and policies" (1991, 192). There

is a strong strain of patriotism here, where the individual has an obligation to inculcate certain virtues, not principally for the direct contribution such virtues make to his or her well-being, but in order to sustain the state that is in some sense an end in itself. For other communitarians, such as Michael Sandel (1982) and Alasdair MacIntyre (1984), individuals are social beings, whose identity is bound up with that of their community.

Sher takes issue with communitarianism's perfectionist credentials, arguing that it offers an unreliable account of value to combat neutralism: "society's involvement in the self has no clear implications about the good" (1997, 156). The "sociological commonplace" that individuals are shaped by society does not tell us what kind of individuals we should be, moreover, if we could be those kinds of individuals in more individualistic societies, then the communitarian causal account falls apart (1997, 160-161). For Sher, communitarian accounts of the person are not able to discredit subjectivism about value. For if, as the perfectionist claims, the good exists independent of choice, this is not furthered by the idea that our choices are shaped by communities. Values must be independent "both of preferences and choices *and* of the society that furnishes the choice-agenda" (1997, 165).

In sum, community has an ambiguous relation to both perfectionism and egalitarianism. Sher debunks assumptions about communitarianism's fit with perfectionism on a number of fronts. First, it seems contingent that the social genesis of the self will inevitably direct the self to the good. Second, some communitarian accounts are motivated by patriotism or a commitment to some supra-individual good. Moreover, the idea that the individual's good is instrumental to the good of society, bodes ill for an egalitarian approach that focuses on the distribution of individual flourishing. Crucial for any hope that perfectionism will yield an egalitarian position is that the doctrine's focus is on human well-being as opposed to achievement or excellence *per se*.

V. Excellence and Flourishing

Sher's account of perfectionism takes as its focus the objective well-being of persons. He avoids the dubious strategy of a social conduit to the good and instead zeroes in on the question of the good itself, which of course nonetheless requires social institutions for its genesis and support. If a public culture is "crude, one-sided, or distorted, then our ability to recognize what goes on within and among people will be crude, one-sided, or distorted, too. And this cannot but diminish our ability to attain a whole range of fundamental goals" (1997, 213-4). Further, Sher argues that perfectionists need not couch their theories in terms of impersonal value. Instead, the perfectionist can say – "in the manner of Aristotle himself – that knowledgeable, excellent and virtuous lives are good precisely *for persons*" (1997, 195; italics original).

Of course, by noting the role of well-being the perfectionist cannot mean mere satisfaction, desire/preference-fulfilment, or even happiness. What is at issue in a perfectionist account is human flourishing in some objective sense, separate from, and often

at odds with, the matter of mere gratification. Sher contends, moreover, that objective values are at best contingently related to human inclinations. Although beneficence or justice in individuals obviously increases human happiness – and here presumably he means overall happiness rather than the happiness of the agents displaying these virtues – whether or not objective values, such as aesthetic appreciation or intellectual development that have no clear relation to human preferences, contribute to individual contentment is "hopelessly obscure." Sher might be unduly pessimistic here: recent happiness studies suggest that individuals in fact register greater happiness when they are engaged in worthwhile things – e.g. friendships, physical exercise, contributions to the community (Gilbert 2007; Nettle 2006; Layard 2005). Nonetheless, the perfectionist will argue that even if the good does happen to line up with our preferences or satisfaction, it is not derived from these subjective criteria. Indeed, perfectionists might want to venture a more ambitious argument and suggest that the explanation goes in the opposite direction: we feel good because we are doing good things, rather than the good being derived from how we feel about it.

It remains that perfectionists can certainly take an interest in subjectivity, however much they disavow subjectivism about value. Sher's account of perfectionism is particularly person-centred. He parts company with those perfectionists who "equate the good with excellence or perfection itself" (1997, 10), opting for a conception of inherent value, where human beings' fundamental activities are enabled by certain human capacities. Following Parfit, he lists moral goodness, rational activity, developing one's abilities, knowledge and the awareness of beauty as capacities that equip us to achieve our basic goals in life (Sher 1997, 201; Parfit 1984, appendix 1). These human capacities are fundamental in the sense they are universal and inescapable, and the activities or traits that exercise these capacities are thus inherently valuable. The human-centred nature of Sher's perfectionism is underscored, too, by the centrality of interpersonal relations that, he argues, enable companionship and love as well as mutual recognition and thereby personal identity (1997, 202-206). Finally, personal contentment, though not a barometer of all value, is of value itself. It is an important feature of flourishing, since freely chosen objectively valuable pursuits are inadequate sources of well-being if the person derives no pleasure or fulfilment from them. As Sher puts it, "we can hardly deny that happiness, pleasure, and enjoyment are among life's goods" (1997, 229). Thus we should avoid an austere version of perfectionism in which, as Hurka argues, pleasure figures only as "an accretion" relevant only insofar as worthy pursuits tend to produce it (1993, 26).

However, the focus on individuals living excellent lives, the heart of what we might call Sher's 'individualist perfectionism', may not help answer the egalitarian question. Though individualised, the matter of flourishing does not speak to the distribution of excellence, that it be equally or widely available. It might be argued that though Sher's individualist perfectionism is wisely sceptical of the capacity of 'the social' to generate individual excellence, and moreover insists on a human-centred account of the good, it risks being insufficiently attentive to the social in the sense of distribution, how widely individual excellence is shared.

VI. The Old Fogey Problem

Thus far we have noted the propitious features of Sher's perfectionism for an egalitarian view. First, it locates value not in the deliverances of the community, but in what is truly good for persons. Second, its humanist approach focuses on universal goals, including pleasure and happiness, thereby suggesting a metric of human well-being suitable for egalitarian aims. Sher's humanist approach also rules out certain discriminatory, majoritarian judgements about what counts as valuable. Sher notes how anti-gay views on the part of some perfectionists tend to be derived from claims that homosexual sex is indecent, promiscuous or unnatural. For Sher, perfectionists have reason to be critical of promiscuity and indecency: impersonal and ostentatious coupling hampers one's ability to share one's self with others in a private, selective way that uniquely furthers human well-being. Sexual activity can be judged on that basis, in accordance with what he regards is a universal human aim. But heterosexual coupling can be indecent and promiscuous too, and in such cases is no less problematic.

Sher concedes the legitimacy of the charge that homosexuality is less natural than heterosexuality, insofar as reproduction is a natural function that homosexual sex cannot fulfil. But Sher's criteria for the valuable, recall, invokes the concept of universality, and it is obvious that reproduction is not a universal aim for people, whatever their sexual orientation. Moreover, Sher notes, strictly speaking the goal of reproduction is sought, not by persons, but by organs that belong to persons. If perfectionism holds that it is inherently good that persons achieve their fundamental goals, then the fact that homosexuality does not further the goal of reproduction does not exclude it from the perfectionist framework (1997, 218). The focus on universal capacities in the argument about sexual orientation is explicitly inclusive, and opens the way to understanding Sher's perfectionism as pointing to, not just a delineation of the valuable, but also a concept of social justice in which all individuals are entitled to live valuable lives. Thus it can be inferred from Sher's individualist perfectionism, even if he himself does not infer it, that it is the task of the political community to mitigate disadvantage that reduces people's capacities to live valuable lives in the pursuit of fundamental goals.

It might be objected that the prospects for egalitarianism in Sher's account are nonetheless blighted by some casual remarks he makes about what counts as the good and what does not. Sher's remarks are likely to confirm populist suspicions that perfectionists are dyed-in-the-wool conservatives, hostile to popular culture and insistent on the singular source of value in highbrow art forms. Consider:

> When critics deplore the coarseness of our culture […] they say – and I agree – that an endless diet of punk rock and sitcoms leaves one ill-equipped to appreciate the music of a Mozart or the prose of a Jane Austen (1997, 213).

Sher shows his hand more recently in his challenge to luck egalitarianism with the example of a much-tattooed young woman whose imprudent choices limit her options in

the job market to "minimum wage jobs in coffee houses and low-end bars" (2010, 221).

Sher's words indicate what we might call the 'old fogey' problem with perfectionism, whereby an old-fashioned, snobbish, or elitist conception of taste or value seems to be inherent in the perfectionist idea of the good. Critics of perfectionism have certainly played up this stereotype. Dworkin, for one, offers examples of expensive tastes such as plovers eggs and champagne, or even of 'inherently more worthy' uses of social resources like books and opera; if expensive tastes are satisfied, or so-called worthy activities given priority, this would, he insists, be contrary to the liberal principle of treating people as equals (1985, 191-198). But is the old fogey anti-egalitarian? Perfectionists of the fogey stripe might be thought to harbour prejudices about certain kinds of people, assigning them less regard or respect. However, this need not follow. The essence of the fogey view is a disapprobation of certain values and ways of life and a respect and esteem for other, contrasting ones. The old fogey can respond that ultimately his or her aim is that as many people as possible disavow the bad and avow the good, rather than preserving the good for the privileged and well-off.

Indeed, the fogey view can find support in some egalitarian views. For example, Amartya Sen's egalitarianism targets particular fundamental capabilities as the metric for equality. Sen argues that the strategies of egalitarians such as Rawls or Dworkin, which focus on equitable shares of goods, fail to account for the fact that "what goods do for people" is subject to enormous variation because of differing circumstances in how people live (1999, 88-9). Sen's answer to 'equality of what?' is therefore not goods or preferences for goods, but 'functionings' or capabilities to achieve functionings, which can vary from such elementary things as 'being adequately nourished' to more complex achievements such as "taking part in the life of the community" (Sen 1992, 39), a view amplified by Martha Nussbaum (1984). Indeed, it may be that improvements in well-being derived from cultural, aesthetic and social pursuits are more important than improvements in physical well-being, once a threshold of some kind has been met (Griffin 1986, 52-53).

Beyond some general guidelines, what counts as capabilities will of course be subject to lively debate, among fogeys, philistines and aesthetes, but also among economists, and conservatives, liberals and social democrats, to name a few. The perfectionist society, however, will nonetheless aim to inculcate an appreciation for the worthwhile and the valuable, to forge some kind of common understanding of what constitutes the good. Moreover, egalitarian perfectionists are likely to be pluralists about the good, assigning inherent value, as Sher says, to a "variety of traits, activities and the like" (1997, 218). Taking up Mill's call for liberal toleration of human diversity, Sher claims that "the policies we end up favouring […] leave ample room for 'experiments in living'" (1997, 138). Choice has value because the individual is in the best position to make good decisions as to how his or her life should go, and because the ability to direct one's life is an essential feature of one's self-respect and dignity. For Thomas Scanlon, some are ill-prepared to make choices and thus society should tackle the context in which choices are made, to ensure that we 'do enough' for choice-makers to ensure their choices have value (1996, 73-8, 84).

Sher also notes that perfectionism is to be expressed in public policy that is forged by democratic citizens. Any adequate perfectionist alternative to neutralism must affirm the principle: "do not support any law or policy on the basis of any conception of the good that you have not scrutinized and found to satisfy your usual standards of justification" (1997, 131). This principle is not about truth, but about the politics of approximating truth, and how best to design a society that seeks the truth about value in a democratic setting. This means that "a high premium is put on open discussion and unfettered scientific investigation," as well as "freedom of thought and expression" (1997, 138; 2003).

A society based on these principles need not be close-minded about the cultural contributions of punk rock or the aesthetic of tattoos. What counts as the valuable need not be set in stone by a particular generation or sensibility. Thus it is Sher's conceptual approach, rather than his particular predilections about popular culture, that are fundamental to his individualistic perfectionism. Moreover, it should be noted that Sher holds that outright prohibition should be avoided:

> [B]efore any government uses force to encourage the better or suppress the worse, it must ask both how successful the effort is likely to be and whether any expected gains are important enough to warrant overriding the general presumption in favour of liberty and non-interference (1997, 71).

Much liberal anxiety about the potential for anti-individualism in perfectionist theories stems from a failure to appreciate perfectionism's potential to serve individualistic purposes, once it is properly construed as a precondition for the improvement of human flourishing and the fair allocation of opportunities for flourishing. A society of tolerance, aesthetic appreciation, civility, clean air and good health, is a society in which individuals are more likely to flourish. In an egalitarian theory of the public good, the community must offer public goods that improve individuals' lives; what is shared or is public of the public good is not just a conception of its ideals, but the actual enjoyment of its pursuits. Raz sums it up well: "It is a public good, and inherently so, that this society is a tolerant society, that it is an educated society, that it is infused with a respect for human beings, etc. Living in a society with these characteristics is generally of benefit to individuals" (1987, 199).

VII. Conclusion

The present contribution has argued that although liberal neutralists have egalitarian arguments for eschewing perfectionism, and although there is within the perfectionist tradition a hostility or indifference to equality, perfectionism can generate a concern for equality. Certainly before Rawls there was a longstanding egalitarian tradition, derived from Marx, which sought to enable equal human flourishing, in which perfectionism and egalitarianism were one. Moreover, Sher's individualistic perfectionism is an auspicious basis for a distinctive egalitarian approach.

Whether Sher himself would be sympathetic to these conclusions remains to be seen. He has interested himself in questions of social justice, but largely to express scepticism about prominent egalitarian views, such as affirmative action or luck egalitarianism. And he has been explicit that equality should not trump other values. But Sher's scepticism is not after all directed at the principle of ameliorating unjust disadvantage. Rather, it is directed at how that amelioration is to be understood and developed – to that extent his scepticism is salutary and instructive. For Sher's misgivings reflect, in large part, his conception of value, his ideal of a well-lived human life, one of achievement, responsibility, healthy human relationships, the development of one's rational and creative capacities. Thus there emerges an egalitarian ideal of human flourishing that can counter the instrumental approach of much contemporary egalitarianism, which seeks only to provide people with more equal means to pursue their goals, whatever the goals may be, taking no interest in how people should live.

Many egalitarians might not agree with the hard line Sher advocates on questions of blame, desert and responsibility. For example, Sher contends that it is important that all of us, advantaged and disadvantaged, prudent and foolish, be capable of blame even if it has "no impact on the quality of our experience". Without blame, there will remain a gap between the way we live and the way we have reason to live (2006, 134-135). Egalitarians might be concerned that questions of desert loom particularly large in Sher's account, overtaking even the option/choice criteria of luck egalitarianism with which to determine who is eligible for the remedy of their disadvantage. Sher's concern for character suggests, perhaps, a particularly harsh criterion with which to constrain egalitarian redistribution.

Sher's concern, however, could have quite a different impact, enriching egalitarianism and raising the ambitions of equal distribution. I have in mind an 'egalitarian perfectionism' in which the egalitarian society's metric of distribution refers to a conception of human dignity, the capacity and practice of living a moral life (Sypnowich 2005; 2000). Thus questions of desert would figure as ways of delineating capacities that an egalitarian society seeks to develop and inculcate. For it might be argued that feeling deserving of resources – which comes from being productive – is constitutive of well-being just as resources themselves are. Not being hungry, of course, is a more important source of well-being than feeling deserving of food! Yet getting and feeling that one has earned what one is getting is better than just getting. Thus there are well-being grounds for a community to be wary of simply picking up the tab for bad choices. Individuals will not learn how to make good choices, they will be reluctant to choose goods that require deferral of gratification, and they will not learn the virtues of reciprocity and responsibility. The well-being conception indicates the importance of providing conditions that enhance choice-making capacity, and this may involve holding individuals responsible, to some extent, for their choices.

In his trenchant critique of liberal neutralism, Sher did not place much emphasis on the theories of distributive justice that underlie many arguments for state agnosticism about the good. He thus did not address the egalitarian or inegalitarian potential

of his own perfectionist views. I hope to have suggested a remedy for this lacuna here. Treating people as equals should involve enabling them to live well, and thus perfectionism should be restored to the egalitarian project. Moreover, in the contemporary milieu, where degraded ways of living tend to accompany disadvantage, perfectionism would do well to have its argument amplified by egalitarian concerns. Arguments such as those of Sher about the nature of value and the responsibility of political communities to promote it are important for wider debates in political philosophy. Enabling more people to live well is a task that cries out for the philosophical collaboration of a range of critics of contemporary society, be they fogeys or radicals.

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NOTES

1. Something bourgeois enthusiasts of Morris's contribution to drawing-room decor are usually unaware of, or at pains to ignore. Since the days of New Labour, it might be said that the British Left, too, looks as if it is inspired more by Morris wallpapers than Morrisian socialism!

2. The inhabitants of Nowhere in Morris's utopian novel also lament that "the once-poor had such a feeble conception of the real pleasure of life" (1984, 121).

Perfectionism and Equality: Further Thoughts

George Sher – Rice University, USA

I. INTRODUCTION

In my book *Beyond Neutrality* (1997) I mentioned, without resolving, two questions about which perfectionists disagree. Of these questions, the first is whether perfectionism is best understood as a theory about what is good for persons or about what is good *simpliciter*, while the second is whether perfectionists should be egalitarians or inegalitarians. Although they appear in different parts of the book, I now think these questions are connected at a deep level. In the first section of this paper, I will discuss the questions separately. In the second, I will explain what I take to be the connection between them. In the third and final section, I will bring these observations to bear on the version of perfectionism that I defended in *Beyond Neutrality*, and will connect them to what two of the other contributors to the present volume have written.

II. TWO QUESTIONS ABOUT PERFECTIONISM

Although the claims that something is good and that it is good for someone sound similar, they differ greatly in meaning and resonance. To say that a thing is good for someone is to assert that its existence or their having it constitutes a benefit for them, is in their interest, makes them better off, contributes to their well-being, or is conducive to their flourishing. By contrast, to say that something is good *simpliciter* is to maintain that its existence is to be prized, that we all have reason to promote or protect it, or that it makes the world a better place.

Even within each general heading, the cited formulations are not all equivalent. The vocabulary of interest is very different from that of flourishing, and assertions about

what we have reason to do are considerably less grandiose than claims about the world's overall goodness. Nevertheless, I think it is fair to say that each cluster of formulations represents a familiar and easily recognizable approach to value. Moreover, although each approach has had proponents who view the alternative as unintelligible or incoherent,[1] the more common view appears to be that they are both intelligible but simply express different concepts. To anyone who holds the latter view, the thesis of perfectionism will itself be capable of taking two distinct forms.

In *Beyond Neutrality*, I defined perfectionism as the view that certain (types of) activities, traits, and relationships are in some sense good for reasons that are independent of anyone's actual or possible desires, choices, or affective states. Here, by contrast, I want to expand the definition's scope. To avoid begging any questions, I will allow that the bearers of perfectionist value can include not only activities, traits, and relationships, but also such further items as excellent athletic and musical performances, superior literary and artistic works, and great intellectual achievements. When the expanded definition is combined with our first value-notion, it yields a version of perfectionism which asserts that human beings are better off, or achieve higher levels of well-being, benefit, or flourishing, when, or to the degree that, things of the relevant sorts exist or play some appropriate role in their lives. By contrast, when the expanded definition is combined with our *second* value-notion, it yields a version of perfectionism which asserts either that it is impersonally good that things of the relevant sorts exist or play an appropriate role in people's lives, or else that we all have reason to promote or preserve situations in which they do. Although both versions of perfectionism can be person-centred in the sense of attributing value to traits, activities, and relationships *of* persons, only the first is person-centred in the more fundamental sense of taking the relevant form of value to be goodness *for* persons.

Bearing this in mind, let us turn next to our second question, which concerns not the content or nature of perfectionism, but its distributive implications. Broadly put, the question here is whether a perfectionist should be an egalitarian or an inegalitarian. Because there are many ways of deviating from equality, there are of course many forms that an inegalitarian version of perfectionism could take. In what follows, however, I will ignore the differences among these and simply ask whether any of them is preferable to its egalitarian counterpart.

Because equality and inequality are competing views about how goods should be distributed, the first thing we need to know here is which goods are in question. Although philosophers notoriously disagree about what Gerald Cohen has called "the currency of distributive justice" (1989) – some leading contenders for this status are welfare, resources, opportunities, and capabilities – these debates are not directly relevant to our concerns. Instead, because perfectionism singles out certain things as goods, the most urgent distributive questions that it raises concern the allocation of these goods themselves. We can ask, for example, whether what matters is only how much knowledge or virtue or excellence the world contains, or whether it also matters that these goods be distributed widely rather than restricted to a few.

One further complication warrants brief mention. As I noted in *Beyond Neutrality*, the term 'perfectionism' can be used to designate both a class of views within value theory – these have been our focus so far here – and a thesis of political philosophy. Because the latter thesis asserts that governments may legitimately base their actions *on* perfectionist values, it presupposes, but goes beyond, a perfectionist theory of value. This ambiguity allows us to distinguish two versions of the claim that perfectionists should be egalitarians, one axiological and the other deontological. In its axiological version, the egalitarian claim asserts that the equal distribution of perfectionist goods is itself a (perfectionist?) good, while in its deontological version, it asserts that government must attempt to bring such a distribution about. Because the most pressing debates about equality are those that take place within political philosophy, it seems safe to assume that the claim's more important version is its deontological one.

III. How the Questions Are Related

Because the possible answers to our two questions cut across each other, it is not inconsistent to combine either version of perfectionism with either view about how its goods should be distributed. However, although all four permutations are theoretically possible, they are not all equally plausible. On the one hand, if we understand a perfectionist theory of value as a view about what is good for persons, then we will have reason to favour the equal distribution of its goods. On the other, if we take a perfectionist theory of value to be a view about what is good *simpliciter*, then we will at least sometimes have reason to favour the *un*equal distribution of its goods. Let me now argue for each point in turn.

To see why the 'good for' interpretation presses us toward equality, we must first remind ourselves that persons themselves are widely (and plausibly) viewed as moral equals, and that this is widely thought to imply that the interests of each are of equal importance. There is, of course, a difference between the claim that each person's interests are equally important and the claim that it is good that people have equal amounts of what is *in* their interest: an act-utilitarian would accept the first claim but perhaps not the second. However, given the affinities between the two claims, it may well be possible to bridge this gap. Also, even if we think the gap cannot be bridged, we may want to say, with Larry Temkin, that the claim that it is better that benefits be distributed equally than unequally if all else is equal is simply a ground-level normative truth (2003). On one or the other basis, we may be willing to accept the inference from the premise that (say) excellence and virtue are in each person's interest to the conclusion that it is best that they be distributed as equally as possible. It is, I think, precisely the attractiveness of this inference that makes it tempting to take the 'good for' interpretation of perfectionism to support the axiological version of the view that perfectionist goods should be distributed equally.

There is also a line of reasoning that leads from the 'good for' interpretation to the deontological version of the egalitarian thesis. To bring this out, we need only note that

the claim that persons are moral equals implies not only that each person's interests are equally important, but also that governments must attach equal *weight* to each person's interests when deciding how to act. Of course, here again there is a gap, this time between the claim that a government must attach equal weight to each citizen's interests and the claim that it must promote the equal satisfaction of those interests. Once again, however, it may be possible to bridge the gap, this time by showing that the former obligation yields a suitably hedged version of the latter. If this can be done, then we will be able to infer, from the premise that excellence and virtue are in each person's interest, that governments are at least *pro tanto* obliged to promote their equal distribution. And I think it is precisely the attractiveness of *this* line of reasoning that makes it tempting to take the 'good for' interpretation of perfectionism to support the *deontological* version of the egalitarian thesis.

But both temptations vanish when we switch to the 'good *simpliciter*' interpretation; for the unequal distribution of what is good *simpliciter* is definitely *not* ruled out by the moral equality of persons. The key fact here is that claims about what is good *simpliciter*, which make no mention of anyone's interests, are for that reason incapable of meshing with any kind of demand for the equal *satisfaction* of interests. This means that there is no obvious route from the premise that something is good *simpliciter* to the conclusion that it should be distributed equally among persons. Even if the things that are good *simpliciter* consist exclusively of states that only persons can entertain – even if, for example, the relevant goods are knowledge, excellence, and virtue – those who have less of these goods than others will be neither disadvantaged nor the victims of injustice. Although there is indeed a respect in which these individuals will be *worse* than others, they will not thereby be *worse off*. And, for this reason, the unequal distribution of knowledge or excellence or virtue will on this account have no more normative significance than (say) the unequal height of different trees in a forest.

So far, I have argued only that we *do not* have reason to favour the *equal* distribution of things that are good *simpliciter*, but not that we *do* have reason to favour the *unequal* distribution of these or any related goods. There is, however, a simple additional argument that sometimes does provide us with reasons of the latter sort. This argument's premises are, first, that it is always better that the world contain more than less goodness *simpliciter* (henceforth, for brevity, just 'value'), and second, that maximizing it sometimes requires distributing goods unequally. Although the argument's first premise approaches self-evidence, the truth of the second depends on a number of factors that I can only gesture at briefly here.

To bring out what is at issue, it will be helpful to begin with a radically simplified version of perfectionism. Let us suppose therefore that the only thing with value is knowledge and each increment in knowledge (somehow measured) has the same value. Under these assumptions, the best state of the world will be one that contains the most knowledge, and the best way to produce the best state will be to deploy our resources in whichever ways maximize knowledge. As Thomas Hurka points out, this will mean devoting the same amount of money to the education of each as long as certain conditions

are met, among them the conditions that (i) each person is equally able to learn and (ii) each dollar spent educating a less- educated person produces more knowledge than one spent educating someone more educated.[2] But whatever we say about the second condition – and I am not sure what to say about it – the first condition is clearly not met. It is manifestly false that everyone is equally able to learn, and so it is also false that we can maximize value by distributing our educational resources equally. This is not to say that we can maximize value by distributing knowledge *itself* unequally – given the assumptions under which we are operating, any given amount of it will have the same value no matter how it is distributed – but it does mean that we can maximize value by opting for an unequal distribution of educational resources, which in its turn will cause knowledge to be distributed even more unequally than it otherwise would be.

This example shows that those who accept the 'good *simpliciter*' interpretation of perfectionism *can* have reason to distribute goods unequally, but it sheds little light on whether they often or ever actually do. This, of course, is where things get tricky. Here, very briefly, are two complicating factors that pull us in opposite directions.

A fact which suggests that the 'good *simpliciter*' interpretation does *not* often give us reason to distribute goods equally is that many of the things that are put forth as valuable are far less dependent than knowledge on abilities that vary greatly among people. One common candidate is virtue, which many optimistically take to be within the reach of all, while another is the development of whatever talents one has, even if they are meagre. Along somewhat different lines, one might say, with Hurka, that although what matters is absolute excellence and not just doing as well as one can, a valuable level of excellence can be achieved in so many different domains – Hurka cites not only science and musical composition, but also craft work, sports, and personal relations – that just about everyone is capable of being excellent at something.[3] The thrust of these possibilities is clearly to minimize the force of the inegalitarian argument.

But there is another consideration that may increase its force, and that is the possibility of perfectionist goods whose value is not a linear function of their quantity. Consider, for example, artworks. It does not seem implausible to suppose that there is much value in the existence of a brilliantly executed painting, but none at all in the existence of one that is clumsy and amateurish. Even on the false assumption that people are equal in artistic talent, the truth of this supposition would imply that it is foolish to try to maximize this form of value by providing art lessons for everyone. The obviously better strategy is to concentrate on bringing some smaller number of individuals above the threshold at which their work begins to have perfectionist value by devoting all the available resources to them. Moreover, the logic of this case will not change if what is said to have the perfectionist value is not an outstanding painting itself, but rather the process of producing it or the possession of the skill *to* produce it; for as long as the value attaches only to what is outstanding in each category, the most efficient use of our resources to produce it will remain inegalitarian.

Because these issues are so tangled, the question of how much inequality the 'good *simpliciter*' interpretation of perfectionism commits us to has no obvious answer.

However, what I think can be said with confidence is that when it is combined with many if not most substantive perfectionist theories, the 'good *simpliciter*'" interpretation will commit us to favouring inequality in at least some cases. And, as long as this is true, the implications of this interpretation will remain decisively different from those of its competitor.

IV. *Beyond Neutrality* Revisited

I said in *Beyond Neutrality* that knowledge, achievement, close relationships, and a number of other traits and activities are inherently valuable, and that each owes its value to the fact that it either is, or is intimately related to, a goal that just about all normal humans are just about unable to avoid pursuing. I said, in addition, that this argument leaves unresolved the question of "whether it is best if a relatively small number of people are exceptionally knowledgeable and accomplished or if the general level of knowledge and excellence is higher but no one is outstanding" (1997, 243). However, against this last claim, two contributors to the current edition of *Ethical Perspectives* have suggested that the logic of my position pushes me in the direction of equality,[4] and I now think they are probably right.

My reasons for agreeing are simple enough. Because the argument of *Beyond Neutrality* rests on premises about the underlying structure of human consciousness, its conclusions are naturally understood as claims about what is good for us in virtue of our *having* that form of consciousness. Given their deep and intimate connections to the psychology that creatures like us share, the goods of knowledge, excellence, sociality, and the rest are best understood as components of our flourishing. Thus, given my current conclusion that the 'good-for' version of perfectionism is congenial to distributive equality, the further conclusion that we have reason to promote the equal distribution of these goods follows straightway.

In *Beyond Neutrality*, I noted the possibility of adopting this 'good-for' interpretation, but suggested that even if we do, we will not be able to say that either governments or individuals have reason to *promote* such goods as knowledge and excellence unless we assume that each person having what is good for them is, in its turn, good *simpliciter*. I still think that claim is true, but I also think that as long as each person having what is good for them is to the same degree good *simpliciter* – as, given the moral equality of persons, it seems to be – the claim's truth will not conflict with the case for distributing what is good for people equally among them, but rather if anything will support it. In accepting that case, I take myself to be agreeing at least in part with Christoph Henning and just about completely with Christine Sypnowich.

For reasons of space, I must refrain from discussing many of the interesting points that Henning makes (although I cannot resist noting that I do not think the foundationalist structure of my perfectionist account of value is really in any tension with my coherentist approach to the account's justification). However, what I can say in relation to our

current topic is that although I think Henning is right to view my version of perfectionism as congenial to equality, I also think there is some lack of clarity in his reasons for holding this view. The problem, in brief, is that his argument seems to vacillate between the 'good for' and the 'good *simpliciter*' versions of perfectionism. Both versions appear to be in play, for example, when he writes that

> [p]erfectionism as a distributive principle only leads to radically unequal outcomes if we assume that individuals are different by nature (2012, ???).

and that

> [i]f individuals do not differ greatly in their natural abilities, elaborating what is good for people in general does not hurt anybody; on the contrary, it will benefit everyone and by implication raise the general welfare (2012, ???).

In the first of the quoted sentences, Henning implies (though he does not quite say) that if people did differ radically in their ability to acquire perfectionist goods, then perfectionism would indeed justify significant distributive inequality. Although he does not specify whether what we would then have reason to distribute unequally are resources or perfectionist goods themselves, the thought in either case seems to be that inequality would be justified because it would maximize overall perfection. However, as we have seen, the idea that perfection is something we have reason to maximize is most naturally linked to the idea that it is good *simpliciter*. It is therefore a bit surprising that in the second quoted sentence, Henning writes that if people have roughly similar levels of ability, then promoting the equal development of all benefits everyone and raises the general level of welfare; for these formulations clearly imply that the relevant value-notion is goodness *for* people.

Although the two halves of Henning's argument do not fit cleanly together, there is some reason to suppose that the second half, which treats perfectionism as a view about human well-being, reflects his considered view. This, at any rate, is one conclusion that can be drawn from the fact that he goes on to speak of "ascrib[ing] equal respect to every individual, regardless of his or her peculiarities" (2012, ???) and cites with approval the claim that "[w]e are equal because we all are human, therefore we deserve equal conditions" (2012, ???). If these claims reflect Henning's considered view, then the gist of his position may be that the presumption in favour of distributing knowledge, achievement, and the rest equally rests on the facts that these things are good for individuals and that each individual's interests count equally. If this interpretation is correct, then Henning's position will, in the end, be very close to the one I am now inclined to favour.

And so, even more clearly, is that of Christine Sypnowich. In her essay, Sypnowich endorses a variant of this paper's main thesis when she writes that that "crucial for any hope that perfectionism will yield an egalitarian position is that the account focus on

human well-being as opposed to achievement or excellence per se" (2012 ???). She also recognizes that my version of perfectionism, which grounds the value of knowledge, excellence, the relevant forms of sociality, and the rest in their connections to the satisfaction of certain goals that just about all humans are just about unable to avoid seeking, yields an account of perfectionism that "is particularly person-centred" (2012 ???) and that seeks to specify "what is truly good for persons" (2012 ???). And from these premises (backed by some ancillary observations about my discussions of other topics), she draws what I take to be the correct conclusion that "Sher's individualist conception of perfectionism is thus certainly congenial to egalitarian concerns" (2012 ???). With all of this, I wholeheartedly concur. As might be expected, I think there is more to the substantive views that she attributes to old fogeys – I myself prefer the appellation 'old crab' – than she is willing to allow; but this is a quibble. I am very grateful for her accurate and generous discussion, as indeed I am for the other acute essays in this Reactions and Debate section that I have not been able to discuss here. I have learned much about the implications of my own position – about its strengths as well as its weaknesses – from reading them.

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Notes

1. G.E. Moore argues that the only intelligible value-notion is goodness *simpliciter* in chapter 3 of his *Principia Ethica* (1959). Against Moore, Judith Jarvis Thomson argues that this notion is not intelligible, and that every use of 'good' can in the end be understood in terms of something like goodness-for (1997).

2. For a discussion of these and other relevant conditions, see Thomas Hurka (1993) chapters 12 and 13.

3. See Hurka (1993) chapter 12.

4. See Henning (2012, ???-???) and Sypnowich (2012, ???-???), both in the present edition.